



भारत का राजपत्र

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सं. ३९]

नई दिल्ली, शनिवार, सितम्बर २९, १९८४/आस्विन ७, १९०६

No. 39]

NEW DELHI, SATURDAY, SEPTEMBER 29, 1984/ASVINA 7, 1906

इस भाग में भिन्न पृष्ठ लेखा हो जाती है जिससे कि मह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड ३—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गये सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मन्त्रालय

(विधि कार्य विभाग)

नई दिल्ली, ५ मितम्बर, १९८४

सूचना

का. आ. 3042.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री परमिन्दर सिह, जी-१६५ नारायणा विहार, नई दिल्ली-२८ ने उक्त प्राधिकारी को उक्त नियम के नियम ४ के अधीन एक आवेदन इस बात के लिए दिया है कि उसे केंद्र शासित दिल्ली व नई दिल्ली में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

२ उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[म. ५(६०)/८४-न्या.]

का. आ. 3043.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रामजी बलराम कृष्ण शुक्ला एचवोकेट, बहरीच (उत्तर प्रदेश) ने उक्त प्राधिकारी को उक्त नियम के नियम ४ के अधीन एक आवेदन इस बात के लिए दिया है कि

नई दिल्ली, ५ मितम्बर, १९८४

सूचना

उसे बहरीच में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. 5(62)/84-न्या.]
एस. गुप्ता, सक्षम प्राधिकारी

New Delhi, the 5th September, 1984

NOTICE

S.O. 3043.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Ramji Balram Krishna Shukla, Advocate, Bahraich (U.P) for appointment as a Notary to practise in Bahraich

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(62)/84-Judl.]

S. GOOPTU, Competent Authority

गृह मंत्रालय

नई दिल्ली, 13 सितम्बर, 1984

का० आ० 3044—केन्द्रीय सरकार, आतंकवादी क्षेत्र (विशेष न्यायालय) अधिनियम, 1984 (1984 का 61) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री डॉ. एस० चिमनी, जिता अटर्नी होशियारपुर को विशेष न्यायालय चंडीगढ़ में मामलों को चलाने के लिए लोक अभियोजक नियुक्त करती है।

[सं. 3/2/84-विधिक मैल]

श्री भन्नव शरण संयुक्त मंत्रिव

MINISTRY OF HOME AFFAIRS

New Delhi, the 13th September, 1984.

S.O. 3044.—In exercise of the powers conferred by subsection (1) of section 9 of the Terrorist Affected Areas (Special Courts) Act, 1984 (61 of 1984), the Central Government hereby appoints Shri D. S. Chimni, District Attorney, Hoshiarpur as Public Prosecutor for conducting cases in the Special Court, Chandigarh.

[No. 3/2/84-Le. C.II]
S. V. SHARAN, Jt. Sec.

(कामिक और प्रशासनिक मुद्धार विभाग)

आदेश

नई दिल्ली, 11 सितम्बर, 1984

का० आ० 3045.—केन्द्रीय सरकार, दिल्ली रोज़ पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते

हुए जारी किए गए भारत सरकार के गृह मंत्रालय के आदेश संख्याक्रम का. आ. 1788, तारीख, 24-5-1984 को रद्द करती है।

[संख्या 228/3/84-ए. बी. डी.-2]

(Department of Personnel & Administrative Reforms)

ORDER

New Delhi, the 11th September, 1984

S.O. 3045.—The Central Government hereby cancels the Order of the Government of India in Ministry of Home Affairs No. S.O. 1788 dated 24-5-84, issued, in exercise of the powers conferred by sub-section (1) of section 5 of the Delhi Special Police Establishment Act, 1946 (25 of 1946).

[No. 228/3/84-AVD.II]

आदेश

का. आ. 3046.—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित, धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्रीमती बलबीर कौर उर्फ बबली, पत्नी जोगिन्दर सिंह उर्फ शांगा, नगरपालिका आयुक्त नगरपालिक समिति, खन्ना में जिला लुधियाना की, तारीख 2 जून, 1983 को खन्ना में हुई मृत्यु की बाबत पुलिस थाना खन्ना सिटी जिला लुधियाना में 2 जून, 1983 को रजिस्ट्री-कूर प्रथम इतिला रिपोर्ट सं. 62 के मामले की बाबत भारतीय दण्ड संहिता, 1860 (1860 का 45) की धारा 302 और 201 के अधीन दण्डनीय अपराधों और उन्हीं अपराधों और तथ्यों से उत्पन्न होने वाले वैमे ही संबद्धवाहार के अनुक्रम में हुए गए किसी अन्य अपराध के संबंध में या उनसे संबंधित प्रयत्नों, दुष्क्रियों और घड़्यांत्रों के अन्वेषण के लिए, पंजाब सरकार की सहमति से, दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तारण सम्पूर्ण पंजाब राज्य पर करती है।

[सं. 228/3/84-ए. बी. डी. 2]

ORDER

S.O. 3046.—In exercise of the power conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946) the Central Government with the consent of the Government of Punjab, hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Punjab for the investigation of offences punishable under sections 302 and 201 of the Indian Penal Code, 1860 (45 of 1860), and attempts, abetments and conspiracies in relation to or in connection with the said offences and other offences committed in the course of the same transaction in regard to case FIR No. 62, dated the 2nd June, 1983 registered at Police Station City Khanna, District Ludhiana, in regard to the death of Smt. Balbir Kaur alias Babli wife of Joginder Singh alias Shanga, Municipal Commissioner, Municipal Committee, Khanna, District Ludhiana at Khanna on the 2nd June, 1983.

[No. 228/3/84-AVD.II]

श्रादेश

नई दिल्ली, 14 सितम्बर, 1984

का०श्रा० 3047.—केंद्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, भारतीय दण्ड संहिता, 1860 की धारा 302 और 201 के अधीन मारनाथ पुलिस आना मामला अपराध स० 100/83 तारीख 20-12-1983, जिला वाराणसी, उत्तर प्रदेश गज्य की बाबत भारतीय दण्ड संहिता, 1860 (1860 का 45) की धारा 364, 302, 201 और 120-B के अधीन दण्डनीय अपराधों और उन्हीं अपराधों और उन्हीं तथ्यों से उत्पन्न होने वाले वैमे ही संबंधवाहक के अनुक्रम में दिए गए किसी अन्य अपराध के संबंध में या उनसे भंसक्त प्रयत्नों, दुष्प्रेरणों और पड़यत्वों के अन्वेषण के लिए, उत्तर प्रदेश सरकार की महसूति से, दिल्ली विशेष-पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तारण सम्पूर्ण उत्तर प्रदेश राज्य पर करती है।

[स० 228/14/84-ए०वी०डी०-II]

पी० एन० अन्तारमन, अवर सचिव

ORDER

New Delhi, the 14th September, 1984

S.O. 3047.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the Government of Uttar Pradesh hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Uttar Pradesh for the investigation of offences punishable under sections 364, 302, 201 and 120-B of the Indian Penal Code, 1860 and attempts, abettments and conspiracies in relation to or in connection with the said offences and any other offences committed in the course of the same transaction arising out of the same facts in regard to Sarnath Police Station case Crime No. 100/83 dated 20-12-83, under sections 302 and 201 of the Indian Penal Code, 1860 District Varanasi in the State of Uttar Pradesh.

[No. 228/14/84-AVD.II]

P. N. ANANTHARAMAN, Under Secy.

वित्त मंत्रालय

(राज्यविभाग)

नई दिल्ली, 16 जून, 1984

(आधिकर)

का०श्रा० 3048.—संवंशाधारण की जानकारी के सिए एतद-रारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1)

के खंड (iii) के प्रयोजनों के लिए "संगम" प्रबंग के अधीन निम्नलिखित गतीय पर अनुमोदित किया है, अर्थात् :—

1. यह कि सेंटर फार रिसर्च, प्लानिंग एण्ड एक्सन, नई दिल्ली को वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त गणियों का पृथक लेखा रखेगा।

2. यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रन्वेक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रवृत्त में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारिया दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

सेंटर फार रिसर्च, प्लानिंग एण्ड एक्सन, नई दिल्ली
यह अधिसूचना 22-3-1984 से 21-3-1984 तक की
अवधि के लिए प्रभावी है।

स० 5865/फा० स० 203/13/83-आ०क०-नि० II]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 16th June, 1984

INCOME-TAX

S.O. 3048.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- That the Centre for Research Planning and Action, New Delhi will maintain a separate account of the sums received by it for scientific research.
- That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Centre for Research, Planning and Action, New Delhi.

This notification is effective for a period from 22-3-84 to 31-3-1986.

[No. 5865/F. No. 203/130/83-ITA II]

नई दिल्ली, 19 जून, 1984

का० आ० 3049—सर्वसाधारण की जानकारी के लिए एतद्द्वारा अधिसूचित किया जाता है कि आयकर अधिनियम, 1961 की धारा 35 (1) (ii) के अन्तर्गत दि सोसायटी फार दि स्टडी आफ मैन, हिज इनवेयरमेंट एंड डिजीज (एम० ई० डी०) डिप्लोमा को वित्त मन्त्रालय, राजस्व और वीभा विभाग की अधिसूचना संख्या 643 (फा० सं० 203/16/74 आ० क० नि०-II) दिनांक 13-6-1974 से सस्वीकृत अनु-मोदन 29-4-1984 से वापस लिया जाता है।

[सं० 5866/फा० सं० 203/117/84-आ० क० नि०-II]

New Delhi, the 19th June, 1984

S.O. 3049.—It is hereby notified for general information that the approval granted under section 35(1)(ii) of the Income-tax Act, 1961 to the Society for the Study of Man, His Environment and Disease (MED) India vide Ministry of Finance, Department of Revenue and Insurance Notification No. 643 (F. No. 203/16/74-ITA.II) dated 13-6-1974 is hereby withdrawn with effect from 29-4-1984.

[No. 5866/F. No. 203/117/84-ITA.II]

नई दिल्ली, 21 जून, 1984

का० आ० 3050—सर्वसाधारण की जानकारी के लिए एतद्द्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए “संगम” प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि विज्ञन रिसर्च, फाउण्डेशन, मद्रास वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।
2. यह कि उक्त फाउण्डेशन अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों को वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकृतिन किया जाए और उसे सूचित किया जाए।
3. यह कि उक्त फाउण्डेशन अपनी कुल आय तथा व्यय वर्षते हुए अपने संपरिक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारियाँ दर्शते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विधित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

विज्ञन रिसर्च फाउण्डेशन, मद्रास

यह अधिसूचना 26-3-1984 से 31-3-1985 तक की अवधि के लिए प्रभावी है।

[सं० 5868/फा० सं० 203/45/84-आ० क० नि०-II]

New Delhi, the 21st June, 1984

S.O. 3050.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of subsection (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the Category “Association” subject to the following conditions :—

- (i) That the Vision Research Foundation, Madras will maintain a separate account of the sums received by it for scientific research,
- (ii) That the said foundation will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year,
- (iii) That the said foundation will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Vision Research Foundation, Madras.

This notification is effective for a period from 26-3-1984 to 31-3-1985.

[No. 5868 F. No. 203/45/84-ITA. II]

नई दिल्ली, 25 जून, 1984

का० आ० 3051—इस कार्यालय की दिनांक 26-12-1981 की अधिसूचना सं० 4397 (फा० सं० 203/9/79-आ० क० नि०-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए “संगम” प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि हैमस्मार एंग्रीकल्चरल रिसर्च एंड डेवलेपमेंट फाउण्डेशन, बम्बई वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों को वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकृतिन किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संगम अपनी कुल आय तथा व्यय, वर्षते हुए अपने संपरिक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारियाँ दर्शते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विधित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था:

हैक्समार प्रौद्योगिकी विज्ञान रिसर्च प्रॉड इंडिपेंट फाउण्डेशन,
बम्बई।

यह अधिसूचना 26-12-1982 से 31-12-1985 तक
की अवधि के लिए प्रभावी है।

[स० 5869/फा० म० 203/46/83-आ० क० नि०-II]

New Delhi, the 25th June, 1984

S.O. 3051.—In continuation of this Office Notification No. 4397 (F. No. 203/9/79-IIA. II, dated 26-12-1981, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- (i) That the Hexamai Agricultural Research and Development Foundation, Bombay, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Hexamai Agricultural Research and Development Foundation, Bombay.

This notification is effective for a period from 26-12-1982 to 31-12-1985..

[No. 5869/F. No. 203/46/83-IIA. II]

नई दिल्ली, 26 जून, 1984

का० आ० 3052—सर्वसाधारण की जानकारी के लिए एतद्-द्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि निम्नलाख माइन्स प्रॉड टेक्नोलॉजी सेन्टर, मद्रास वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक विस्तीर्ण वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रत्येक में प्रस्तुत करेंगी जो इस प्रयोजन के लिए अधिकारियत किया जाए, और उसे सूचित किया जाए।

3. यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शाने हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिस्थितियां, देनदारियां दर्शाने हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून, तक विहित प्राधिकारी की प्रस्तुत करेंगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबधित आयकर आयकर को भेजेगा।

संस्था

निम्नलाख माइन्स प्रॉड टेक्नोलॉजी सेन्टर, मद्रास

यह अधिसूचना 11-5-1984 से 31-3-1986 तक की अवधि के लिए प्रभावी है।

[स० 5882/फा० म० 203/236/83-आ० क० नि०-II]

New Delhi, the 26th June, 1984

S.O. 3052.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- (i) That the Tamilnadu Science & Technology Centre, Madras, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Tamilnadu Science & Technology Centre, Madras.

This notification is effective for a period from 11-5-1984 to 31-3-1986.

[No. 5882/F. No. 203/236/83-IIA. II]

नई दिल्ली 16 जुलाई, 1984

(आयकर)

का० आ० 3053—सर्वसाधारण की जानकारी के लिए एतद्-द्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि पर्यावरण संरक्षण अनुसंधान संस्थान, सागरी वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संगम अनेक वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को

प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रस्तुप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंचयिताओं देनदारियों दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

पर्यावरण संरक्षण अनुसंधान संस्थान मांगनी।

यह अधिसूचना 7-5-1984 से 31-3-1985 तक के लिए प्रभावी है।

[सं. 5897/फा. सं. 203/102/83-आ. क. नि. -II]

New Delhi, the 16th July, 1984.

S.O. 3053.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category 'Association' subject to the following conditions—

- That the Environmental Protection Research Foundation, Sangli, will maintain a separate account of the sums received by it for scientific research.
- That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Environmental Protection Research Foundation, Sangli.

This notification is effective for a period from 7-5-1984 to 31-3-1985.

[No. 5897/F. No. 203/102/83-ITA. II]

का. 3054—मर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (iii) के प्रयोजनों के लिए "संस्था" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया।

1. यह कि गोविंद बलभ ठंड पंत समाज विज्ञान संस्थान इलाहाबाद, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त रणियों का पृथक लेखा रखेगा।

2. यह कि उक्त संस्था अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणों विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रस्तुप में प्रस्तुत करेगी जो इस प्रयोजन के लिए निर्धारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्था अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंचयिताओं देनदारियों दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून को विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगी।

संस्था

गोविंद बलभ ठंड समाज-विज्ञान संस्थान, इलाहाबाद।

यह अधिसूचना 11-2-1984 से 31-3-1986 तक की अवधि के लिए प्रभावी है।

[सं. 5898/फा. सं. 203/198/82-आ. क. नि. -II]

S.O. 3054.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions—

- That the Govind Ballabh Pant Social Science Institute, Allahabad, will maintain a separate account of the sums received by it for scientific research.
- That the said institution will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said institution will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Govind Ballabh Pant Social Science Institute, Allahabad.

This notification is effective for a period from 12-2-1984 to 31-3-1986.

[No. 5898/F. No. 203/198/82-ITA. II]

नई दिल्ली, 17 जुलाई, 1984

का. 3055.—इस कार्यालय की दिनांक 17-10-1983 की अधिसूचना सं. 5428 (फा. सं. 203/180/83-आ. का. नि. -II) के सिलसिले में, मर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "संगम"

प्रवर्ग के अधीन निम्नलिखित घटनों पर अनुमोदित किया है,
अर्थात् —

1. यह कि आल इण्डिया हार्ट फाउण्डेशन, नई दिल्ली वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा ।
2. यह कि उक्त फाउण्डेशन अपने वैज्ञानिक अनुसंधान मंबंधि क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रारूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए ।

3. यह कि उक्त फाउण्डेशन अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आमुक्त को भेजेगा ।

संस्था

आल इण्डिया हार्ट फाउण्डेशन, नई दिल्ली ।

यह अधिसूचना 1-1-1984 से 31-12-1984 तक के लिए प्रभावी है ।

[सं. 5899 /फा० सं. 203/107/84-आ० क० नि०-II]

New Delhi, the 17th July, 1984.

S.O. 3055.—In continuation of this Office Notification No. 5428 (F. No. 203/180/83-ITA. II) dated 17-10-83, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- (i) That the All India Heart Foundation, New Delhi will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said foundation will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said foundation will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioners of Income-tax.

INSTITUTION

All India Heart Foundation, New Delhi.
This notification is effective for a period from 1-1-1984 to 31-12-1984.

[No. 5899/F. No. 203/107/84-ITA. II]

नई दिल्ली, 18 जुलाई, 1984

का० आ० 3056—दिनांक 25-11-1981 की अधिसूचना सं. 4335 (का० सं. 203/159/81-आ० क० नि०-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एनदब्ल्यूएस

अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आप्रकर नियम, 1962 के नियम 6 के माठ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खड़ (ii) के प्रयोजनों के लिए "कालेज" प्रवर्ग के अधीन निम्नलिखित घटनों पर अनुमोदित किया है :—

1. यह कि भारतीय वैद्यक समन्वय समिति, नागपुर, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा ।

2. यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान मंबंधि क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी, को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रारूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए निर्धारित किया जाए और उसे सूचित किया जाए ।

3. यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाते हुए तुलन-पत्र की एक एक प्रति, प्रतिवर्ष 30 जून को विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति मंबंधित आयकर आमुक्त को भेजेगा ।

संस्था

भारतीय वैद्यक समन्वय समिति, नागपुर

यह अधिसूचना 18-9-1983 से 31-3-1986 तक की अवधि के लिए प्रभावी है ।

[सं. 5900 /फा० सं. 203/144/84-आ० क० नि०-II]

New Delhi, the 18th July, 1984.

S.O. 3056.—In continuation of this Office Notification No. 4335 (F. No. 203/159/81 ITA. II) dated 25-11-81, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "College" subject to the following conditions :—

- (i) That the Bhartiya Vaidyak Samanvya Samiti, Nagpur will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Bhartiya Vaidyak Samanvya Samiti, Nagpur
This notification is effective for a period from 18-9-1983 to 31-3-1986.

[No. 5900/F. No. 203/144/84.ITA.II]

नई दिल्ली 21 जुलाई, 1984

का०आ० 3057—इस कार्यालय की दिनांक 30-4-82 की अधिसूचना सं० 4593 (फा० सं० 203/32/82-आ० क०नि०-II) के सिलसिले में सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् विद्यान् और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए “संगम” प्रबर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्:—

1. यह कि इन्स्टीट्यूट फाइनेंशियल मैनेजमेंट एण्ड रिसर्च, मद्रास वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रस्तुप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाने हुए अपने संग्रहीत वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाने हुए तुलन-पत्र की एक-एक प्रति प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगी।

संस्था

इन्स्टीट्यूट फार फाइनेंशियल मैनेजमेंट एण्ड रिसर्च मद्रास

यह अधिसूचना 1-4-84 से 31-3-86 तक की अवधि के लिए प्रभावी है।

[सं० 5902/फा० सं० 203/128/84-आ० क० नि०-II]

New Delhi, the 21st July, 1984

S.O. 3057.—In continuation of this office Notification No. 4593 (F. No. 203/32/82-ITA. II) dated 30-4-82 it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category “Institution” subject to the following conditions:—

- (i) That the Institute for Financial Management & Research, Madras will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax,

INSTITUTION

Institute of Financial Management and Research, Madras.
This notification is effective for a period from 1-4-1984 to 31-3-1986.

[Na. 5902] F. No. 203/128/84 ITA. II]

नई दिल्ली, 31 जुलाई, 1984

का०आ० 3058—इस कार्यालय की दिनांक 28-3-81 की अधिसूचना सं० 3195 (फा० सं० 203/270/80-आ० क०नि०-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली, ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के माथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए “संगम” प्रबर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्:—

1. यह कि यूनिवर्सल डिजिटल कम्प्युनिकेशन रिसर्च इन्स्टीट्यूट, नई दिल्ली, वैज्ञानिक अनुसंधान के लिए उस के द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रस्तुप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शाने हुए अपने भंपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाने हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष, 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगी।

संस्था

यूनिवर्सल डिजिटल कम्प्युनिकेशन रिसर्च इन्स्टीट्यूट, नई दिल्ली।

यह अधिसूचना 8-3-1984 से 31-3-1987 तक की अवधि के लिए प्रभावी है।

[सं० 5917/फा० सं० 203/25/84-आ० क० नि०-II]

New Delhi, the 31st July, 1984.

S.O. 3058.—In continuation of this Office Notification No. 3195 (F. No. 203/270/80-ITA. II) dated 28-3-81, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category “Association” subject to the following conditions:—

- (i) That the Universal Digital Communication Research Institute, New Delhi, will maintain a separate ac-

count of the sums received by it for scientific research.

- (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Universal Digital Communication Research Institute, New Delhi.

This notification is effective for a period from 8-3-1984 to 31-3-1987.

[No. 5917 (F. No. 203/25/84-ITA. II)]

नई दिल्ली, 3 अगस्त, 1984

का० आ० 3059.—सर्वमाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित मस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुपयुक्त विज्ञानों के क्षेत्र में "संस्था" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है—

1. यह कि इंस्टीट्यूट ऑफ किडनी डिजीजेज एंड रिसर्च सेटर, अहमदाबाद, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त मोमायरी अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए निर्धारित किया जाए और उसे मूलित किया जाए।

3. यह कि उक्त मोमायरी अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून को विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयकृत को भेजेगी।

संस्था

इंस्टीट्यूट ऑफ किडनी डिजीजेज एंड रिसर्च सेटर, अहमदाबाद।

यह अधिसूचना 1-4-1984 से 31-3-1986 तक की प्रवधि के लिए प्रभावी है।

[सं० 5919/फा म 203/196/83-आ० क० नि०-II]

New Delhi, the 3rd August, 1984

S.O. 3059.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section

(1) of section 35 of the income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions :—

- (i) That the Institute of Kidney Diseases & Research Centre, Ahmedabad will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said society will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as its assets liabilities with a copy of each of these for this purpose by 30th April each year.
- (iii) That the said society will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Institute of Kidney Diseases & Research Centre, Ahmedabad.

This notification is effective for a period from 1-4-1984 to 31-3-1986.

[No. 5919/F. No. 203/196/83-ITA. II]

नई दिल्ली, 9 अगस्त, 1984

का० आ० 3060.—इस कार्यालय की विनांक 7-7-82 की अधिसूचना सं० 4785 (का० सं० 203/19/80-आ० क० नि०-II) के सिलमिये में, सर्वमाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित मस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खंड (ii) के प्रयोजनों के लिए "संस्था" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है :

1. यह कि वी एम ए आयल मीडिस रिसर्च एंड डेवलपमेंट इंस्टीट्यूट, बम्बई, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संस्था अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे मूलित किया जाए।

3. यह कि उक्त संस्था अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून को विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयकृत को भेजेगी।

संस्था

वी एम ए आयल मीडिस रिसर्च एंड डेवलपमेंट इंस्टीट्यूट, बम्बई।

यह अधिसूचना 1-12-1983 से 31-12-1984 तक की प्रवधि के लिए प्रभावी है।

[सं० 5937 (का० सं० 203/6/84 आ० क० नि०-II)]
गिरीश देव, अवग सचिव

New Delhi, the 9th August, 1984

S.O. 3060.—In continuation of this Office Notification No. 4785 (F. No. 203/19/80-ITA.II) dated 7-7-1982 it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category, "Institution" subject to the following conditions :—

- (i) That the VMA Oilseeds Research and Development Institute, Bombay, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institution will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April, each year.
- (iii) That the said Institution will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

VMA Oilseeds Research and Development Institute, Pombay.

This notification is effective for a period from 1-12-1983 to 31-12-1984.

[No. 5937/F. No. 203/6/84-ITA.II]

नई दिल्ली, 16 अगस्त, 1984

का० आ० 3601—सर्वमाधारण की जानकारी के लिए एतद्दारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "संस्था" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि वैज्ञानिक अनुसंधान के लिए सैटर फार रीजनल इकोलोजिकल एंड माइस स्टडीज इन डिवल्पमेंट प्रालटरनेटिव, कलकत्ता के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ग्रेस प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथित किया जाए, और उसे सूचित किया जाए।

3. यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शते हुए तुलन-पत्र की एक-एक प्रति प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

सैटर फार रीजनल इकोलोजिकल एंड माइस स्टडीज इन डिवल्पमेंट प्रालटरनेटिव, कलकत्ता

यह अधिसूचना 29-9-1984 से 31-12-84 तक की अवधि के लिए प्रभावी है।

[सं० 5942 (फा० सं० 203/152/84-आ० क०नि०-II)]

New Delhi, the 16th August, 1984

S.O. 3061.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions :—

- (i) That the Centre for Regional Ecological and Science Studies in Development Alternatives, Calcutta will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets & liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Centre for Regional Ecological & Science Studies in Development Alternatives, Calcutta

This notification is effective for a period from 29th April, 1984 to 31st December, 1984.

[No. 5942 (F. No. 203/152/84-ITA. II)]

नई दिल्ली, 18 अगस्त, 1984

का० आ० 3062—सर्वसाधारण की जानकारी के लिए एतद्दारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खंड (ii) के प्रयोजनों के लिए "संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि स्पान रिसर्च सेंटर, उधाना, मूरत वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त केन्द्र अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ग्रेस प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथित किया जाए, और उसे सूचित किया जाए।

3. यह कि उक्त केन्द्र अपनी कुल आय तथा व्यय दर्शते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां,

देनदारियां दर्शते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

मंस्था

स्पान रिसर्च सेटर, उधाना, सूरत।

यह अधिसूचना 26-3-84 से 31-3-86 तक की अवधि के लिए प्रभावी है।

[सं० 5944 (फा० सं० 203/218/83-आ० क० नि०-II)]

New Delhi, the 18th August, 1984

S.O. 3062.—It is hereby notified for general information below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions:—

- That the Span Research Centre, Udhana, Surat will maintain a separate account of the sums received by it for scientific research.
- That the said Centre will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said Centre will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets & liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Span Research Centre, Udhana, Surat

This notification is effective for a period from 26th March, 1984 to 31st March, 1986.

[No. 5944 (F. No. 203/218/83-ITA.II)]

का० आ० 3063:—इस कार्यालय की दिनांक 22-7-1983 की अधिसूचना सं० 5323 (फा० सं० 203/93/83-आ० क० नि०-II) के मिलमिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, प्रर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खंड (ii) के प्रयोजनों के लिए "मंगम" प्रबर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, प्रथात् :—

1. यह कि सीरम इंस्टीट्यूट आफ इण्डिया रिसर्च फाउण्डेशन, पूना, वैज्ञानिक प्रनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त मंगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक

वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे भूचित किया जाए।

3. यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तिया, देनदारियां दर्शते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

मंस्था

सीरम इंस्टीट्यूट आफ इण्डिया रिसर्च फाउण्डेशन, पूना।

यह अधिसूचना 1-1-1984 से 31-3-1986 तक की अवधि के लिए प्रभावी है।

[सं० 5943 (फा० सं० 203/108/84-आ० क० नि०-II)]

S.O. 3063.—In continuation of this office Notification No. 5323 (F. No. 203/93/83-ITA.II) dated 22-7-83, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions:—

- That the Serum Institute of India Research Foundation Poona will maintain a separate account of the sums received by it for scientific research.
- That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets & liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Serum Institute of India Research Foundation, Poona.

This notification is effective for a period from 1-1-1984 to 31-3-1986.

[No. 5943 (F. No. 203/108/84-ITA.II)]

का० आ० 3064:—इस कार्यालय की दिनांक 20-8-81 की अधिसूचना सं० 4182 (फा० सं० 203/128/81-आ० क० नि०-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में "सगम" प्रबर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है—

1. यह कि चारूतर आरोग्य मंडल, वल्लभ विद्या नगर,

खेड़ा, गुजरात, वैज्ञानिक शोध के लिए उसके द्वारा प्राप्त गणियों का पृथक लेखा रखेगा।

2. यह कि उक्त चारूतर आरोग्य मंडल, बल्लभ विद्या नगर, खेड़ा, गुजरात अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के सम्बंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रवृत्ति में प्रस्तुत करेगा जो इस प्रयोजन के लिए निर्धारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त चारूतर आरोग्य मंडल, बल्लभ विद्या नगर, खेड़ा, गुजरात अपनी कल आय तथा व्यय दर्शाते हुए अपने संपर्कित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारियाँ दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून को विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

चारूतर आरोग्य मंडल, बल्लभ विद्या नगर, खेड़ा, गुजरात

यह अधिगूचना 24-4-1983 से 31-12-1984 तक की अवधि के लिए प्रभावी है।

[मं० 5945 (फा० स० 203/153/84-आ० क० नि०-II)]

S.O. 3064.—In continuation of this Office Notification No. 4182 (F. No. 203/128/81-JTA-II) dated 20-8-81, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- (i) That the Charutar Arogya Mandal Vallabh Vidya Nagar, Kaira, Gujarat will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Charutar Arogya Mandal Vallabh Vidya Nagar, Kaira, Gujarat will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Charutar Arogya Mandal Vallabh Vidya Nagar, Kaira, Gujarat will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Charutar Arogya Mandal Vallabh Vidya Nagar, Kaira, Gujarat.

This notification is effective for a period from 24-4-1983 to 31-12-84.

[No. 5945] [No. 203/153/84-JTA-II]

नई दिल्ली, 28 अगस्त, 1984

का० आ० 3065—इस कार्यालय की दिनांक 17-9-80 की अधिगूचना मं० 3659 (फा० स० 203/219/80-आ० क०

नि०-II) के सिलसिले में, सर्वमाध्यारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के माध्य पठित आयकर अधिनियम, 1961 की धारा 35 को उपधारा (i) के छंड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में "संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्यात् :—

1. यह कि अल्केमिक रिसर्च मेंटर (प्रा०) लि०, बम्बई, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त गणियों का पृथक लेखा रखेगा।

2. यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के सम्बंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रवृत्ति में प्रस्तुत करेगी जो इस प्रयोजनों के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपर्कित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारियाँ दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

अल्केमिक रिसर्च सेटर (प्रा०) लि०, बम्बई

यह अधिगूचना 1-4-1984 से 31-3-1986 तक तीन वर्ष की अवधि के लिए प्रभावी है।

[सं० 5958 (फा० स० 203/147/83-आ० क० नि०-II)]

New Delhi, the 28th August, 1984

S.O. 3065.—In continuation of this office Notification No. 3659 (F. No. 203/219/80-JTA. II) dated 17th September, 1980, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" in the area of other natural and applied sciences subject to the following conditions :—

- (i) That the Alchemic Research Centre (P) Ltd., Bombay, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual account showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Alchemic Research Centre (P) Ltd., Bombay.

This notification is effective for a period of three years from 1st April, 1983 to 31st March, 1986.

[No. 5958 (F. No. 203/147/83-ITA. II)]

नई दिल्ली: 10 मितम्बर 1984

का०आ० 3066.—सर्वसाधारण को जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि वित्त मंत्रालय (राज्यविभाग) की दिनांक 20 फ़रवरी 1964 की अधिसूचना सं० 12 (का०सं० 10/9/64-आ०क० नि०-I) के द्वारा आर्थिक और वैज्ञानिक अनुसंधान संस्था, कलकत्ता की धारा 35(1)(ii) के अन्तर्गत दिग्गंग, अनुमोदित की थीं यद्यता कि 30 जून 1985 तक सिलमित फिरा जाना है।

[सं० 5967 (का० सं० 203/150/84-आ०क० नि०-II)]

New Delhi, the 10th September, 1984

S.O. 3066.—It is hereby notified for general information that the validity of the approval granted under section 35(1)(ii) of the Economic and Scientific Research Association, Calcutta, vide Ministry of Finance (Deptt. of Revenue), Notification No.12 (F.No. 10/9/64-ITA.I) dated 20th February, 1964, is restricted upto 30th June, 1985.

[No. 5967 (F. No. 203/150/84-ITA.II)]

का०आ० 3067.—इस कार्यालय की दिनांक 23-3-82 की अधिसूचना सं० 4523 (का०सं० 203/36/82-आ०क० नि०-II) के मिलमिले में सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग नई दिल्ली में निम्नलिखित संस्था को आदेश नियम, 1962 के नियम 6 के माथ पठिन आदेश अधिनियम, 1961 की धारा 35 की उपधारा (i) के खंड (ii) के प्रयोजनों द्वारा "मैट्र" प्रवर्ग के अंतर्गत निम्नलिखित गतों पर अनुमोदित होता है अर्थात्:—

1. यह कि कामायनी उद्योग केन्द्र सोसाइटी, पुणे, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त सोसाइटी अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरण, विहित प्राधिकारी के प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सुचित किया जाए।

3. यह कि उक्त सोसाइटी अपनी कुल आपूर्ति तथा उत्पादन दर्शाते हुए अपने संरक्षित वार्षिक लेखों की तथा अपनी पर्याप्तताओं देनदेशी दर्शाते हुए तुलन-पत्र की एक प्रति प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में ग्रन्थित की एक-एक प्रति संवधित प्राप्तकर्ता आधिकारित को भेजेगा।

मंत्री

कामायनी उद्योग केन्द्र सोसाइटी, पुणे

यह अधिसूचना 1-2-1984 से 31-3-1984 तक की अवधि के लिए प्रभावी है।

[सं० 5971 (का०सं० 203/151/84-आ०क० नि०-II)]

S.O. 3067.—In continuation of this office Notification No. 4523 (F.No.203/36/82-ITA.II) dated 23-3-82, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act,1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions:—

- That the Kamayani Udyog Kendra Society, Pune will maintain a separate account of the sums received by it for scientific research.
- That the said society will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such form as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said society will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Kamayani Udyog Kendra Society, Pune.

This notification is effective for a period from 1-2-1984 to 31-3-1986.

[No. 5971 (F. No. 203/151/84-ITA.II)]

का०आ० 3068.—इस कार्यालय की दिनांक 12-5-81 की अधिसूचना सं० 3948 (का०सं० 203/22/81-आ०क० नि०-II) के मिलमिले में सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आदेश नियम, 1962 के नियम 6 के माथ पठिन आदेश अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "कालेज" प्रवर्ग के अधित निम्नलिखित गतों पर अनुमोदित किया है अर्थात्:—

1. यह कि कर्नाटक रेजिस्टरेशन राइंजेज मुख्यकल, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त कालेज अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी के प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सुचित किया जाए।

3. यह कि उक्त कालेज अपनी कुल आपूर्ति तथा उत्पादन दर्शाते हुए अपने संरक्षित वार्षिक लेखों की तथा अपनी पर्याप्तताओं देनदारियां दर्शाते हुए तुलन-पत्र की एक एक प्रति प्रतिवर्ष

30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक एक प्रति संवैधित आधकर आयुक्त को भेजेगा।

संस्था

कर्नाटक रीजनल इंजीनियरिंग कॉलेज, सुरथकल
थोनिवासनगर ।

यह अधिसूचना 27-2-1984 से 31-3-1987 तक की
अवधि के लिए प्रभावी है।

[सं० 5966(फा०/सं० 203/129/84-आ०क०नि०-II)]

S.O. 3068.—In continuation of this Office Notification No. 3948 (F.No.203/22/81-ITA.II) dated 12-5-81, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (i) of section 35 of the Income-tax Act, 1961 read with Rules 6 of the Income-tax Rules, 1962 under the category "College" subject to the following conditions:—

- (i) That the Karnataka Regional Engineering College, Surathkal, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said college will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said college will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Karnataka Regional Engineering College, Surathkal, Sri-nivasnagar.

This notification is effective for a period from 27-2-1984 to 31-3-1987.

[No. 5966 (F. N. 203/129/84-ITA.II)]

का०आ० 3069.—सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आधकर नियम 1962 के नियम 6 के साथ पठित आधकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "संस्था" प्रबंग के अर्थात् निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि गिमारसेज डिवेलपमेंट इम्प्रोट्यूट भोपाल वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त गणियों का पृथक लेखा रखेगा।

2. यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकाराओं की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रस्तुत में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे मूल्यित किया जाए।

3. यह कि उक्त संस्थान अपनी कुन आः तथा व्यय दस्तावेजों में से प्रत्येक की एक एक प्रति संवैधित आधकर आयुक्त को भेजेगा।

संस्था

गिमारसेज डिवेलपमेंट इम्प्रोट्यूट भोपाल।

यह अधिसूचना 11-5-84 से 3-3-87 तक की अवधि के लिए प्रभावी है।

[सं० 5970 (फा०सं० 203/79/84-आ०क०नि०-II)]

S.O. 3069.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (i) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions —

- (i) That the Resources Development Institute, Bhopal, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Resources Development Institute, Bhopal

This notification is effective for a period from 11-5-84 to 31-3-1987.

[No. 5970 (F. N. 203/79/84-ITA.II)]

का०आ० 3070.—इस कार्यालय की दिनांक 25-1-82 की अधिसूचना सं० 4445 (फा० सं० 203/165/81-आ० क० नि०-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आधकर 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "संगम" प्रबंग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि बर्नस प्रॉसेसिंग आफ इण्डिया, ब्रम्बई, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त गणियों का पृथक लेखा रखेगा।

2. यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान सब्धी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथन दिया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शाने हुए अपने संपर्केभित्र वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाने हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

वर्तमान एसोसिएशन ऑफ इण्डिया, बम्बई।

यह अधिसूचना 18-9-1983 से 31-10-1984 तक के लिए प्रभावी है।

[मं. 5972 (फा० मं. 203/147/84-आ०क०नि०-II)]

S.O. 3070.—In continuation of this office Notification No. 4445 (F. No. 203/165/81-ITA. II) dated 25-1-82, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- That the Burns Association of India, Bombay will maintain a separate account of the sums received by it for scientific research.
- That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Burns Association of India, Bombay

This notification is effective for a period from 18-9-1983 to 31-10-1984.

[No. 5972 (F. No. 203/147/84-ITA.II)]

नई दिल्ली, 14 मित्तम्बर, 1984

का०आ० 3071.—इस कार्यालय की दिनांक 15-6-81 की अधिसूचनामं. 4025 (फा०सं. 203/43/81-आ०क०नि०-II) के मिलमिले में सर्वमाधारण की जानकारी के लिए प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी जो इस प्रयोजन के लिए "संगम" प्रबन्ध के अंतर्गत निम्नलिखित गतियों पर अनुमोदित किया है अर्थात् :—

अधियूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नतर्दिन मंस्ता का; आदकर नियम 1962 के नियम 6 के माध्य पर्यान आदकर अधिनियम 1961 की धारा 35 की उपव्यापा (1) के खण्ड (II) के प्रयोजनों के लिए "संगम" प्रबन्ध के अंतर्गत निम्नलिखित गतियों पर अनुमोदित किया है अर्थात् :—

1. यह कि उक्त संगम अपने विवर्च में प्रति बम्बई वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संगम अर्थवैज्ञानिक अनुसंधान संवंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शाने हुए अपने संपर्केभित्र वार्षिक लेखों की तथा अपनी परिसंपत्तियां देनदारियां दर्शाने हुए तुलन-पत्र की एक एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा उन दस्तावेजों में से प्रत्येक की एक एक प्रति संबंधित आदकर आयुक्त को भेजेगा।

वकुल फिक्चर रिसर्च मेंटर, बम्बई।

यह अधिसूचना 1-4-1984 से 31-3-1985 तक के लिए प्रभावी है।

[मं. 5969 (फा० सं. 203/121/84-आ०क०नि०-II)]

New Delhi, the 14th September, 1984

S.O. 3071.—In continuation of this Office Notification No. 4025 (F. No. 203/43/81-ITA.II) dated 15-6-81, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- That the Bakul Finechem Research Centre, Bombay will maintain a separate account of the sums received by it for scientific research.
- That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April, each year.
- That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Bakul Finechem Research Centre, Bombay.

This notification is effective for a period from 1-4-1984 to 31-3-1985.

[No. 5969 (F. No. 203/121/84-ITA.II)]

का०श्रा० 3072.—संवैधानिक की जानकारी के लिए एन्डद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञत श्रीर प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के माथ परिचायकर अधिनियम, 1961 की धारा 35 की उपधारा, (1) के खंड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में 'कालेज' प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया हैः—

1. यह कि रामनारायण रुद्धा कालेज, बंबई, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पूर्ण लेखा रखेगा।

2. यह कि उक्त कालेज अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी का प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त कालेज अपनी कुल आय तथा व्यय दर्शनि हुए अपने संघरीकृत वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारिया दर्शनि हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों में से प्रत्येक की एक एक प्रति संवैधित आयकर आयकृत आयकृत को भेजेगा।

संस्था

रामनारायण रुद्धा कालेज, बंबई।

यह अधिसूचना 1-9-83 से 31-8-1986 तक की अवधि के लिए प्रभावी है।

[मं० 5979 (फा०मं० 203/81/83-आ०क०नि०-II)]

S.O. 3072.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of subsection (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "College" subject to the following conditions :

- That the Ramnarain Ruia College, Bombay will maintain a separate account of the sums received by it for scientific research.
- That the said college will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said college will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing the assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Ramnarain Ruia College, Bombay.

This notification is effective for a period from 1-9-83 to 31-8-1986.

[No. 5979 (F. No. 203/81/83-ITA.II)]

का०श्रा० 3073.—भृष्टसाधारण की जानकारी के लिए एन्डद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् विज्ञत श्रीर प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के माथ परिचायकर अधिनियम, 1961 की धारा 35 की उपधारा, (1) के खंड (iii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में 'कालेज' प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया हैः—

1. यह कि अन्तर्राष्ट्रीय प्रबंध संस्थान, नई दिल्ली, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पूर्ण लेखा रखेगा।

2. यह कि उक्त संस्था अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्था अपनी कुल आय तथा व्यय दर्शनि हुए अपने संघरीकृत वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारिया दर्शनि हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून को विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक एक प्रति संवैधित आयकर आयकृत को भेजेगी।

संस्था

अन्तर्राष्ट्रीय प्रबंध संस्थान, नई दिल्ली

यह अधिसूचना 11-2-84 से 31-3-85 की अवधि के लिए प्रभावी है।

[मं० 5982 (फा०मं० 203/18/82-आ०क०नि०-II)]

S.O. 3073.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi the prescribed authority for the purposes of clause (iii) of subsection (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- That the International Management Institute, New Delhi will maintain a separate account of the sums received by it for scientific research.
- That the said institution will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said institution will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

International Management Institute, New Delhi. This notification effective for a period from 11-2-84 to 31-3-85.

[No. 5982 (F. No. 203/18/82-ITA.II)]

का०ग्रा० 3074.—सर्वसाधारण की जानकारी के लिए एतदद्वारा अधिसूचना दिया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था का आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (iii) के प्रयोजनों के लिए प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है,

1. यह कि गुजराती साहित्य परिषद्, अहमदाबाद, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संस्था अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रश्न में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्था अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ देनदारियाँ व वर्षाते हुए तुलन-पत्र की एक एक प्रति, प्रतिवर्ष 30 जून को विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक एक प्रति संबंधित आयकर शायुक्त को भेजेगी।

संस्था

गुजराती साहित्य परिषद्, अहमदाबाद

यह अधिसूचना 11-2-84 से 31-3-85 तक की अवधि के लिए प्रभावी है।

[सं० 5981 (फा०सं० 203/216/82-आ.का.नि II)]

S.O. 3074.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions :—

- That the Gujarati Sahitya Parishad, Ahmedabad, will maintain a separate account of the sums received by it for scientific research.
- That the said Institution will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said institution will submit the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Gujarati Sahitya Parishad, Ahmedabad.

This notification is effective for a period from 11-2-84 to 31-3-85

[No. 5981 (F. No. 203/216/82-ITA.II)]

का०ग्रा० 3075.—सर्वसाधारण की जानकारी के लिए एतदद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, एतदद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी,

803 GI/84—3

अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित "संस्था" को आयकर नियम, 1962 के नियम 7 के साथौ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के "संदर्भ" (iii) के प्रयोजनों के लिए "संस्था" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है,

1. यह कि इंस्टिट्यूट आफ मैनेजमेंट इन गवर्नमेंट, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संस्था अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रश्न में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्था अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ देनदारियाँ हुए तुलन-पत्र की एक एक प्रति, प्रतिवर्ष 30 जून को विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक एक प्रति संबंधित आयकर शायुक्त को भेजेगा।

संस्था

इंस्टिट्यूट आफ मैनेजमेंट इन गवर्नमेंट, वैज्ञानिक

यह अधिसूचना 11-2-84 से 31-3-85 तक की अवधि के लिए प्रभावी है।

[सं० 5980 (फा०सं० 203/218/82-आ०क०नि०-II)]
गिरीश दवे, अवर सचिव

S.O. 3075.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions:—

- That the Institute of Management in Govt., Trivandrum, will maintain a separate account of the sums received by it for scientific research.
- That the said institution will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said institution will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Institutite of Management in Govt., Trivandrum.

This notification is effective for a period from 11-2-84 to 31-3-1985.

[No. 5980 (F. No. 203/218/82-ITA.II)]
GIRISH DAVE, Under Secy.

नई दिल्ली, 21 जुलाई, 1984

का०ग्रा० 3076.—सर्वसाधारण की जानकारी के लिए एतदद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी,

अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए अन्य प्राकृतिक सत्ता अनुप्रयुक्त विज्ञानों के बोर्ड में "संगम" प्रबर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है:—

1. यह कि डा० रामाजिनी रिसर्च इंस्टिट्यूट वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त प्रतिष्ठान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 3 अप्रैल, तक ऐसे प्ररूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए निर्धारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त प्रतिष्ठान अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारियाँ दर्शाते हुए तुलन-पत्र की एक एक प्रति, प्रतिवर्ष 30 जून, को विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों में से प्रत्येक की एक एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

डा० रामाजिनी रिसर्च इंस्टिट्यूट आफ आक्यूपेशनल हैल्थ सर्विसेज।

यह अधिसूचना 1-4-84 से 31-3-86 तक की अवधि के लिए प्रभावी है।

[सं० 5903 (फा०सं० 203/91/84-आ०क०नि०-II)]

New Delhi, the 21st July, 1984

S.O. 3076.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions.—

- That the Dr. Ramazini Research Institute will maintain a separate account of the sums received by it for scientific research
- That the said foundation will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said foundation will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Dr. Ramazini Research Institute of Occupational Health Services.

This notification is effective for a period from 1-4-84 to 31-3-86.

[No. 5903 (F. No. 203/91/84-ITA.II)]

नई दिल्ली, 26 जुलाई, 1984

का० आ० 3077—इस कार्यालय की दिनांक 23-3-1982 की अधिसूचना सं० 4525 (फा०सं० 203/42/82-आ०क०नि०-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "संगम" प्रबर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है,, अर्थात् :—

1. यह कि स्पैस्टिक सोसाइटी ऑफ इण्डिया, बम्बई, वैज्ञानिक अनुसंधान के लिए उसके हांडा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त एसोसिएशन अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी की प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकृतित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त एसोसिएशन अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारियाँ दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

स्पैस्टिक सोसाइटी ऑफ इण्डिया, बम्बई।

यह अधिसूचना 18-2-84 से 30-6-85 तक की अवधि के लिए प्रभावी है।

[सं० 5914 (फा०सं० 203/35/84-आ०क०नि०-II)]

New Delhi, the 26th July, 1984

S.O. 3077.—In continuation of this Office Notification No. 4525 (F. No. 203/42/82-ITA. II) dated 23-3-1982, it is hereby notified for general information that the Institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- That the Spastic Society of India, Bombay will maintain a separate account of the sums received by it for scientific research.
- That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.

(iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Spastic Society of India, Bombay.

This notification is effective for a period from 18-2-1984 to 30-6-1985.

[No. 5914 F. (No. 203/35/84-ITA.II)]

नई दिल्ली, 6 अगस्त, 1984

का० आ० 3078:—इस कार्यालय की दिनांक 28-2-84 की अधिसूचना सं० 5666 (फा० सं० 203/50/84-आ० का० नि०-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खंड (ii) के प्रयोजनों के लिए “संगम” प्रबन्ध के अधीन निम्नलिखित शर्तों पर प्रनुमोदित किया है, अर्थात् :—

1. यह कि दि बिड़ला इंस्टीट्यूट आफ साइंटिफिक रिसर्च कलकत्ता, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाति हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारियाँ दर्शाति हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर अयुक्त को भेजेगा।

संस्था

दि बिड़ला इंस्टीट्यूट आफ साइंटिफिक रिसर्च, कलकत्ता।

यह अधिसूचना 1-4-1984 से 31-3-1985 तक की अवधि के लिए प्रभावी है।

[सं० 5926 (फा० सं० 203/143/84-० प्रा० का० नि०-II)]

New Delhi, the 6th August, 1984

hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category “Institution” subject to the following conditions :—

- (i) That the Birla Institute of Scientific Research, Calcutta will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April, each year.
- (iii) That the said Institute will submit to the prescribed authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

The Birla Institute of Scientific Research, Calcutta.

This notification is effective for a period from 1-4-84 to 31-3-1985.

[No. 5926 (F. No. 203/143/84-ITA.II)]

नई दिल्ली 8 अगस्त 1984

का० आ० 3079:—इस कार्यालय की दिनांक 10-5-1983 की अधिसूचना सं० 5279 (फा० सं० 203/143/8-2-आ० का० नि०-II) के सिलसिले में सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् विज्ञान और प्रौद्योगिकी विभाग नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (2) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में फाउण्डेशन प्रबन्ध के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है अर्थात् :—

1. यह कि उक्त संस्था वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त फाउण्डेशन अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त फाउण्डेशन अपनी कुल आय तथा व्यय दर्शाति हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, देनदारियाँ दर्शाति हुए तुलन-पत्र की एक-एक प्रति प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर अयुक्त को भेजेगा।

संदर्भ

ਕੈਮਿਲੀ ਏਲਾਨਿਗ ਫਾਊਂਡੇਸ਼ਨ ਨਹੀਂ ਬਿਲ੍ਡੀ।

यह अधिसूचना 31-12-1983 से 31-12-1984 तक की अवधि के लिए प्रभावी है।

[सं० 5933(फा. सं. 203/130/8 4-आ. क. नि.-II)]

New Delhi, the 8th August, 1984

S.O. 3079.—In continuation of this Office Notification No. 5279 (F. No. 203/142/82-ITA. II) dated 10-5-1983, it is hereby notified for general information that the Foundation mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Foundation" in the area of other natural and applied sciences subject to the following conditions :—

- (i) That the said Association will maintain a separate account of the sums received by it for scientific research.
 - (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
 - (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Family Planning Foundation, New Delhi.

This notification is effective for a period from 31-12-1983 to 31-12-1984.

[No. 5933 F, No. 203/130/84-ITA, II]

• नई दिल्ली, 9 अगस्त, 1984

का० आ० 3080.— इस कार्यालय की दिनांक 31-12-82
 की अधिसूचना सं० 5830 (का० सं० 203/185/82-आ० क०
 नि० II के सितम्बर में, सर्वसाधारण की जानकारी के लिए
 एन्टद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी,
 प्रथात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने
 निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6
 के साथ पठित आयकर अधिनियम, 1961 की घारा 35 की
 उपधारा (1) के खंड (ii) के प्रयोजनों के लिए “संगम”
 प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है,
 प्रथातः—

1. यह कि शाह इंडस्ट्रियल रिसर्च इंस्टीट्यूट, वाराणसी वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पुथक लेखा रखेगा।

2. यह कि उस संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथित किया जाए और उसे सचित किया जाए।

3. यह कि उत्त संगम अपनी कुल आय तथा व्यवहारित हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विधित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयक्त को भेजेगा।

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शाह हैंडस्ट्रिल रिसर्च हंसटीट्यूट, वाराणसी

यह अधिसूचना 5-11-1983 से 4-11-1986 तक की अवधि के लिए प्रभावी है।

सं० 5938 (फा० सं० 203/155/83-मा०क०न्ति० II)]

New Delhi, the 9th August, 1984

S.O. 3080.—In continuation of this Office Notification No. 5838 (F. No. 203/185/82-ITA.II) dated 31-12-82, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category “Association” subject to the following conditions.—

- (i) That the Sah Industrial Research Institute, Varanasi will maintain a separate account of the sums received by it for scientific research.
 - (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
 - (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Sah Industrial Research Institute, Varanasi.

This notification is effective for a period of three years from 5-11-1983 to 4-11-1986.

[No. 5938 (F. No. 203/155/83-ITA.II)]

का. आ. 3081.—सर्व साधारण की जानकारी के लिए एतद्वारा अधिसूचित किथा जाता है कि विहित प्राधिकारी अर्थात् विज्ञान और प्रौद्योगिकी विभाग नई दिल्ली के निम्न-लिखित संस्था को आपकर नियम 1962 के नियम 6 के साथ पठित आपकर अधिनियम 1961 की पारा 35 की उपधारा (1) के खंड (2) के प्रयोजनों के लिए “संगम” प्रश्नार्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है—
अर्थात् :—

1. यह कि डि सोमायटी आफ इंडियन प्लाण्ट ट्रेक्सोनो-मिस्ट् वैशानिक अनुसंधान के लिए उसके शारा प्राप्त राशियों का पथक लेखा रखेगा।

2. यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रलेप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां बेनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

सोसायटी आफ इंडियन प्लाण्ट टैक्सोनोमिस्ट्स इलाहाबाद

यह अधिसूचना 22-3-84 से 31-3-86 तक की अवधि के लिए प्रभावी है।

[सं. 5939 (फा. सं. 203/146/83-आ. क. नि.-II)]

S.O. 3081.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- (i) That the Society of Indian Plant Taxonomists, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Society of Indian Plant Taxonomists, Allahabad.

This notification is effective for a period from 22-3-84 to 31-3-1986.

[No. 5939 (F. No. 203/146/83-ITA.II)]

नई दिल्ली, 14 अगस्त, 1984

का०पा० 3082.—इस कार्यालय की दिनांक 26-8-82 की अधिसूचना सं० 4879(फा०सं० 203/56/82-आ०क०नि० II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतत् दद्धारा अधिसूचित किया जाता है कि विहित प्राधिकारी, मर्यादित विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्न-

लिखित संस्था को आयकर नियम 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनों के लिए "संगम" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, प्रथमतः :—

1. यह कि इंडियन कापर इनफार्मेशन सेन्टर, कलकत्ता वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रलेप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, बेनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

इंडियन कापर इनफार्मेशन सेन्टर, कलकत्ता

यह अधिसूचना 1-4-84 से 31-3-87 तक की अवधि के लिए प्रभावी है।

[सं. 5940 फा० सं. 203/85/84-आ०क०नि०-II]

New Delhi, the 14th August, 1984

S.O. 3082.—In continuation of this Office Notification No. 4879 (F. No. 203/56/82-ITA.II) dated 26-8-82, it is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- (i) That the Indian Copper Information Centre, Calcutta, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Indian Copper Information Centre, Calcutta.

This notification is effective for a period from 1-4-1984 to 31-3-1987.

[No. 5940 (F. No. 203/85/84-ITA.II)]

नई दिल्ली, 18 अगस्त, 1984

का० श्रा० 3083.— सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने तिम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खंड (iii) के प्रयोजनों के लिए "संस्था" प्रवर्ग के अधीन तिम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात् :—

1. यह कि भोगी लाल लेहरचन्द इंस्टीट्यूट इंडोलोजी, पाटन, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक् लेखा रखेगा।

2. यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक विलीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए प्रधिकथित किया जाए, और उसे सूचित किया जाए।

3. यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियाँ, बेनारसी दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

संस्था

भोगी लाल लेहरचन्द इंस्टीट्यूट प्राफ इंडोलोजी, पाटन
यह अधिसूचना 22-3-84 से 31-3-86 तक की अवधि के लिए प्रभावी है।

[सं० 5946 (फा० सं० 203/212/83-आ०क०नि०-II)]

New Delhi, the 18th August, 1984

S.O. 3083.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science and Technology, New Delhi, the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1961 under the category "Institution" subject to the following conditions :—

- That the Bhogilal Leherchand Institute of Indology, Patan will maintain a separate account of the sums received by it for scientific research.
- That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Bhogilal Leherchand Institute of Indology, Patan.

This notification is effective for a period from 22-3-84 to 31-3-1986.

[No. 5946 (F. No. 203/212/83-ITA.II)]

नई दिल्ली, 10 सितम्बर, 1984

का० श्रा० 3084.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह सूचित किया जाता है कि सचिव, वैज्ञानिक एवं प्रौद्योगिकी विभाग, नई दिल्ली ने तिम्नलिखित वैज्ञानिक अनुसंधान कार्यक्रम को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (2क) के प्रयोजनार्थ नीचे विविदित अवधिक्रम के लिए अनुमोदित किया है :—

वैज्ञानिक अनुसंधान परियोजना
का नाम।

प्रयोजक का नाम

वैज्ञानिक रिसर्च इन प्लूइडि
सेशन विद रेफरेन्स
टू एक्लोनीट्रायल रिएक्टर
मेसर्स हिडियन पेट्रोकेमिकल्स
फार्मोरेशन लि०, बड़ोवा

कार्यान्वयित करने वाली प्रयोगशाला
का नाम।

प्रारम्भ करने की तारीख

पूरा करने की तारीख

अनुमानित व्यय

राष्ट्रीय रसायन प्रयोगशाला
पूना

दिसम्बर, 1982

दिसम्बर, 1984

2.40 लाख रु०

2. राष्ट्रीय रसायन प्रयोगशाला, पूना वैज्ञानिक तथा प्रौद्योगिक अनुसंधान परिषद् की एक ऐसी इकाई है जो मन्त्रालय के वित्त विभाग की दिनांक 23-11-1946 की अधिसूचना सं० 34 के द्वारा आयकर अधिनियम, 1922 की धारा 10(2)(xiii) के अन्तर्गत अनुमोदित है।

3. धारा 35(2क) के अन्तर्गत यह अनुमोदन 28-2-1984 तक वैध है।

[सं० 5965 (फा० सं० 203/170/84-आ०क०नि०-II)]

New Delhi, the 10th September, 1984

S.O. 3084.—It is hereby notified for general information that the following scientific research programme has been approved for the period specified below for the purpose of sub-section (2A) of the section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 by the Secretary, Department of Science & Technology, New Delhi :—

Name of the scientific research project : Basic research in Fluidisation with reference to Acrylonitrile Reactor.

Name of the sponsor : M/s. Indian Petrochemicals Corporation Ltd., Baroda.

Implementing Lab : National Chemical Laboratory, Poona.

Date of commencement : December, 1982

Date of completion : December, 1984

Estimated outlay : Rs. 2.40 lakhs.

2. National Chemical Laboratory Poona is a Unit of CSIR which stands approved under section 10(2) (xiii) of the Income-tax Act, 1922 vide Ministry of late Finance Deptt. Notification No. 34 dated 23-11-1946.

3. This approval under section 35(2A) is valid upto 28-2-1984.

[No. 5965 (F. No. 203/170/84-ITA. II)]

नई दिल्ली, 15 सितम्बर, 1984

का. ०३०८५.—सर्व साधारण की जानकारी के लिए एतद्वारा प्रधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आय कर अधिनियम, 1961 की धारा 35 की उपधारा (३) के खंड (iii) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में “संस्था” प्रबर्ग के प्रधीन निम्नलिखित शर्तों पर अनुमोदित किया है:—

1. यह कि माटुंगा एजूकेशन रिसर्च सोसाइटी, बंबई वैज्ञानिक अनुसंधान के लिए, उसके द्वारा प्राप्त राशियों का पूरक लेखा रखेगा।

2. यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी कियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए निर्धारित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त संस्थान अपनी कुल आय तथा व्यय वर्षते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शते हुए तुलनात्मक की एक-एक प्रति, प्रतिवर्ष 30 जून को विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेग।

संस्था

माटुंगा एजूकेशन रिसर्च सोसाइटी, बंबई।

यह आधारसूचना 11-5-1984 से 31-3-1986 तक की अवधि के लिए प्रभावी है।

[सं. 5989 (फा. सं. 203/96/84-आ०क०नि०-II)]
पी० सक्सेना, उप सचिव

New Delhi, the 15th September, 1984

S.O. 3085.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category “Institution” subject to the following conditions:—

- (i) That the Matunga Education Research Society, Bombay will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as

may be laid down and intimated to them for this purpose by 30th April each year.

(iii) That the said institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

INSTITUTION

Matunga Education Research Society, Bombay.

This notification is effective for a period from 11-5-1984 to 31-3-1986.

[No. 5989 (F. No. 203/96/84-ITA.II)]

P. SAXENA, Dy. Secy.

नई दिल्ली, 12 सितम्बर 1984

(आयकर)

का. आ०३०८६.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23G) के खण्ड (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त धारा के प्रयोजनार्थ “श्री रघवेन्द्र स्वामी मठ तुंगभद्रा (आनन्द प्रदेश)” को कर निर्धारित 1985-86 से 1987-88 के अंतर्गत आने वाली अवधि के लिए अधिसूचित करती है।

[सं. 5976 (फा. सं. 197/क०/27/82-आ०क०. (नि.-1)]

आर. के. तिवारी, अवर सचिव

New Delhi, the 12th September, 1984

INCOME-TAX

S.O. 3086.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Shri Raghavendraswamy Mutt, Tungabhadra (Andhra Pradesh)” for the purpose of the said section for the period covered by the assessment years 1985-86 to 1987-88.

[No. 5976 (F. No. 197-A/27/82-IT(AI)]

R. K. TEWARI, Under Secy.

(आयिक कार्य विभाग)

(वैज्ञानिक प्रयोग)

नई दिल्ली 27 अगस्त, 1984

का. आ०३०८७.—प्रावेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा ii की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री के. भोज शेट्टी को तुंगभद्र ग्रामीण बैंक ग्रामीणी का अध्यक्ष नियुक्त करती है तथा 9-8-1984 से प्रारम्भ होकर 31-8-1987 की अवधि होते वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री के. भोज शेट्टी अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 8-9/80-आ०, धारा की]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 27th August, 1984

S.O. 3087.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976) the Central Government hereby appoints Shri K. Bhoja Shetty as the Chairman of the Tungabhadra Gramin Bank, Bellary and specifies the period commencing on the 9th August, 1984 and ending with 31st August, 1987 as the period for which the said Shri K. Bhoja Shetty shall hold office as such Chairman.

[No. F. 8-9/80-RRB]

नई विल्ली, 30 अगस्त, 1984

का. आ. 3088.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारत सरकार, विसंवालय (आर्थिक कार्य विभाग) की अधिसूचना कानूनी आदेश सं. 347(अ) सं. एफ. 1-2-80 आर. आर. बी. (1) में निम्नलिखित संशोधन करती है अर्थात् :—

‘उपर्युक्त अधिसूचना में “कालाहौड़ी जिला” शब्दों के स्थान पर “कालाहौड़ी और फुलबनी जिले” शब्द रखे जाएंगे।

[सं. एफ. 1(8)/84-आर. आर. बी.]

New Delhi, the 30th August, 1984

S.O. 3088.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendment in the notification of the Government of India in Ministry of Finance (Department of Economic Affairs) S.O. No. 347(E)/No. F. 1-2/80-RRB(I), namely :—

In the said notification for the words, “District of Kalahandi”, the words “Districts of Kalahandi and Phulbani” shall be substituted.

[No. F. 1(8)/84-RRB]

का. आ. 3089.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा भारत सरकार, आर्थिक कार्य विभाग की अधिसूचना कानूनी आदेश सं. 398(अ) [सं. एफ. 1-15/82 आर. आर. बी.-(1) दिनांक 11 जून, 1982] में निम्नलिखित संशोधन करती है, अर्थात् :—

“उपर्युक्त अधिसूचना में “नेल्लोर जिले” शब्दों के स्थान पर “नेल्लोर जिला और पकासम जिले के तालुक ओंगले, अङ्कोंकी, चिराला कंडुकुर, कनोभिरी, पोडीसी, दक्ष परचुरू, मद्दीपादू और तारालापादू” शब्द रखे जाएंगे।

[सं. एफ. 1(8)/84-आर. आर. बी.]

S.O. 3089.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby makes the following amendment in the notification of the Government of India in the Department of Economic Affairs S.O. No. 398(E) [No. F. 1-15/82-RRB(I) dated the 11th June, 1982], namely :—

In the said notification for the words “District of Nellore” the words, “District of Nellore and T. kas Ongole, Addanki, Chirala, Kaudukur, Kanigir Pondili, Darsi, Parichuru Maddipadu and Tarlapada of the District of Prakasam” shall be substituted

[No. F. 1(8)/84-RRB]

नई विल्ली, 4 सितम्बर, 1984

का. आ. 3090.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री ए. पी. त्रिपाठी को सीवन क्षेत्रीय ग्रामीण बैंक, सीवन (बिहार) का अध्यक्ष नियुक्त करते हैं तथा 20-7-84 से प्रारम्भ होकर 31-7-87 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री ए. पी. त्रिपाठी अध्यक्ष के रूप में कार्य करेंगे।

[संघ्या एफ. 2-99/82-आर. आर. बी.]

New Delhi, the 4th September, 1984

S.O. 3090.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoint Shri A. P. Tripathi as the Chairman of the Siwan Kshetriya Gramin Bank, Siwan (Bihar) and specifies the period commencing on the 20-7-84 and ending with the 31-7-87 as the period for which the said Shri A. P. Tripathi shall hold office as such Chairman.

[No. F. 2-99/82-RRB]

का. आ. 3091.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री प्रशांत कुमार साहू को बालासोर ग्राम्य बैंक, बालासोर (उडीसा) का अध्यक्ष नियुक्त करती है तथा 10-8-84 से प्रारम्भ होकर 31-8-1987 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करते हैं जिसके दौरान श्री प्रशांत कुमार साहू अध्यक्ष के रूप में कार्य करेंगे।

[संघ्या एफ. 2-77/82-आर. आर. बी.]

S.O. 3091.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Rural Banks Act, 1976 (21 of 1976) the Central Government hereby appoints Shri Prasanta Kumar Sahu as the Chairman of the Balasore Gramya Bank, Balasore (Orissa) and specifies the period commencing on the 10-8-84 and ending with the 31-8-87 as the period for which the said Shri Prasanta Kumar Sahu shall hold office as such Chairman.

[No. F. 2-77/82-RRB]

का. आ. 3092.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एस. बी. सिन्हा को गोपालगंज क्षेत्रीय ग्रामीण बैंक, गोपालगंज का अध्यक्ष नियुक्त करती है तथा 21-7-1984

से प्रारम्भ होकर 31-7-87 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है, जिसके दौरान श्री एस० बी० सिन्हा अध्यक्ष के रूप में कार्य करेंगे।

[सं० एफ० 2-93/84-प्रार० प्रार० बी०]

S.O. 3092.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976) the Central Government hereby appoints Shri S. B. Sinha as the Chairman of the Gopalganj Kashetriya Gramin Bank, Gopalganj and specifies the period commencing on the 21-7-1984 and ending with 31-7-1987 as the period for which the said Shri S. B. Sinha shall hold office as such Chairman.

[No. F. 2-93/84-RRB]

का० आ० 3093.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एत्व-द्वारा श्री एम० बी० नायक को एटा ग्रामीण बैंक एटा (उत्तर प्रदेश) का अध्यक्ष नियुक्त करती है तथा 28-7-1984 से प्रारम्भ होकर 31-7-1987 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है, जिसके दौरान श्री एम० बी० नायक अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ० 2-96/84-प्रार० प्रार० बी०]

S.O. 3093.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri M. V. Nayak as the Chairman of the Etah Gramin Bank, Etah (UP) and specifies the period commencing on the 28th July, 1984 and ending with the 31st July, 1987 as the period for which the said Shri M. V. Nayak shall hold office as such Chairman.

[No. F. 2-96/84-RRB]

का० आ० 3094.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 2 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एत्व-द्वारा श्री पी० बी० आर० हेंगडे को मालाप्रभा ग्रामीण बैंक भारताइ का अध्यक्ष नियुक्त करती है तथा 16-7-84 से प्रारम्भ होकर 31-7-1987 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है, जिसके दौरान श्री पी० बी० आर० हेंगडे अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ० 2-22/84-आर० आर० बी०]

एम० एम० हमरकर, निदेशक

S.O. 3094.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri P.B.R. Hegde as the Chairman of the Malaprabha Gramin Bank, Dharwad and specifies as the period com-

mencing on the 16-7-1984 and ending with the 31-7-1987 as the period for which the said Shri Hegde shall hold office as such Chairman.

[No. F. 2-22/84-RRB]
S. S. HASURKAR, Director.

(बीमा प्रभाग) बीमा
नई दिल्ली, 17 मितम्बर, 1984

का० आ० 3095.—भारतीय जीवन बीमा निगम श्रेणी III और श्रेणी IV कर्मचारी (बोनस और महंगाई भत्ता) नियम, 1981 के नियम 3 के उप-नियम (2) की उप-धारा (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एत्व-द्वारा यह निर्धारित करती है कि उक्त उप-नियम के अन्य उपबन्धों के अधीन रहते हुए प्रत्येक तीसरी और चौथी श्रेणी के कर्मचारी को पहली अप्रैल, 1983 से आरम्भ हुई और 31 मार्च, 1984 को समाप्त हुई अवधि के संबंध में बोनस के बदले उसके बेतन के 15 प्रतिशत के हिसाब से अवायगी की जाएगी।

[एफ० सं० 4(6)/बीमा-3/84)]
एस० डी० रहेजा, अवर सचिव

(Insurance Division)

INSURANCE

New Delhi, the 17th September, 1984

S.O. 3095.—In exercise of the powers conferred by sub-clause (b) of sub-rule (2) of rule 3 of the Life Insurance Corporation of India Class III and Class IV Employees (Bonus and Dearness Allowance) Rules, 1981, the Central Government hereby determines that, subject to the other provisions of the said sub-rule the payment in lieu of bonus for the period commencing on the 1st day of April, 1983 and ending with the 31st day of March, 1984 to every Class III or Class IV employees shall be at the rate of 15 per cent of his salary.

[F. No. 4(6)/Ins. III/84]
S. D. RAHEJA, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड
नई दिल्ली, 30 अप्रैल, 1984

(आयकर)

का० आ० 3096.—दिनांक 15 अक्टूबर, 1983 की अधिसूचना सं० 5427 के आंशिक संशोधन में, जिसके द्वारा आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड द्वारा आयकर आयुक्त का उन सर्वेक्षण परिमाणलों/वाडों पर कोई क्षेत्राधिकार नहीं रहेगा, जहाँ 15 मई, 1984 तक कम से कम एक कर-निश्चारिण पूरा किया जा चुका है। ऐसे मामलों के बारे में क्षेत्राधिकार, यथावस्था, ऐसे मामलों पर क्षेत्रीय अधिकारिता रखने वाले आयकर आयुक्त, बम्बई सिटी-I में XII तक में निहित रहेगा।

यह अधिसूचना 15 मई, 1984 से लागू होगी।

[सं० 5777 (फा० सं० 187/16-ए०/83-आ०क० (नि०-1)]
बी० बी० श्रीनिवासन, निवेदक

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 30th April, 1984
(INCOME-TAX)

S.O. 3096.—In partial modification of Notification No. 5427 dated 15th October, 1983 by which jurisdiction was conferred on the Commissioner of Income-tax, Investigation, Bombay, by the Central Board of Direct Taxes, in exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the said Commissioner of Income-tax, will cease to have jurisdiction on or after 15-5-1984 over the cases of Survey Circles/Wards where at least one assessment has been completed upto 15-5-1984. In respect of such cases, jurisdiction would stand vested with the Commissioner of Income-tax, Bombay City-I to XII as the cases may be having territorial jurisdiction in respect of such cases.

This notification comes into effect from 15-5-1984.

[No. 5777 (F. No. 187/16-A/83-IT(AI)]
V. B. SRINIVASAN, Director.

वाणिज्य मंदिरालय

आणिझ्य विभाग

नई दिल्ली 22 सितम्बर 1984

का. आ. 3097 :—केन्द्रीय सरकार, नियंत्रण (स्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तामचीनी बर्तन नियंत्रण (निरीक्षण) नियम, 1978 में और संशोधन करने के लिए निम्नलिखित नियम बनाती है। अर्थात् :—

- (1) इन नियमों का संक्षिप्त नाम ताम चीनी बर्टन निर्यात (निरीक्षण) संशोधन नियम, 1984 है।
 (2) यह राजपत्र में प्रकाशन को तारीख को पब्लिक होंगे।
 - तामचीनी बर्टन निर्यात (निरीक्षण) नियम 1978 में, नियम 6 के स्थान पर निम्नलिखित नियम रखा जाएगा।
 अर्थात् :-

"6. निरीक्षण का स्थान:— इन नियमों के प्रयोगिनों के सिए तामचीनी मिट्टी के बर्तन का निरीक्षण, या तो—

- (क) विनिर्माता के परिसर पर, या
(ख) उस परिसर पर किया जाएगा जहां निर्धातकर्ता
द्वारा माल निरीक्षण के लिए प्रस्तुत किया
जाता है :

परन्तु यह तब जब कि उस परिसर पर भा. भा. 3972--1968 या इसके अन्तिम रूपान्तर के अनुसार संघात प्रतिरोध, ऐकिंड प्रतिरोध परीक्षण और समन परीक्षण करने के प्रयोजन के लिए और भा. भा. 3149--1968 या इसके अन्तिम रूपान्तर के अनुसार लीक परीक्षण करने के प्रयोजन के लिए सुविधाएं उपलब्ध हैं।

[फा. म. 6/9/84-ई आर्ट ग्रांड ईपी]
[एन. एस. हरिहरन, निदेशक]

टिप्पणी :- अधिसूचना सं का. आ 2910 तारीख 30-9-1978 भारत के राजपत्र भाग-II, पृष्ठ 3
 उपबंज (ii) 1978 पृष्ठ 6 के अनुसार प्रकाशित
 मर्यादित नियम

(1) अधिसूचना सं. का. आ. 1786 तरीख
5-7-1980 द्वारा बाद में संशोधित।

MINISTRY OF COMMERCE
(Department of Commerce)

New Delhi the 22nd September, 1984

S.O. 3097.—In exercise of the powers conferred by Section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export of Enamelwares (Inspection) Rules, 1978, namely :—

- (1) These rules may be called the Export of Enamelwares (Inspection) Amendment Rules, 1984.
(2) They shall come into force on the date of their publication in the Official Gazette.
 - In the Export of Enamelwares (Inspection) Rules, 1978, for rule 6, the following rule shall be substituted, namely :—

"6. Place of Inspection.—Inspection of Enamelwares for the purpose of these rules shall be carried out, either :—

 - at the premises of the manufacturer; or
 - at the premises at which the goods are offered for inspection by the exporter :

Provided that facilities for the purpose of carrying out tests for Impact Resistance, Acid Resistance, Juench test as per IS : 3972—1968, its latest version and facilities for the purpose of carrying out Leak-Test, as per IS : 3149—1968 or its latest version are available at these premises".

[F. No. 6/9/84-EI & EP]
N. S. HARIHARAN, Director

NOTE.—Principal rules published vide Notification No. S.O. 2910 Dated 30-8-1978, Gazette of India 1978 Part-II, Section 3, Sub-section (ii) page 6.

Subsequently amended by :—

- (i) Notification No. S.O. 1786 dated 5-7-1980.
(मुख्य-नियंत्रक, आठात-नियति का कार्यलय)
नई दिल्ली, 14 सितम्बर, 1984

मादेष

का० प्रा० 3098 :—श्री पुरुषोत्तम ए८० पटेल, 228,
 टोडी इन्डस्ट्रियल एस्टेट, एन. एम. जोशी भार्ग, लोअर
 पारेल, बम्बई-11 को आवेदक की विदेश में अपनी विदेशी
 मुद्रा की बचत के मद्दे पश्चिमी जर्मनी/इटली/संयुक्त राज्य
 अमरीका से पूजीगत माल के आयात के लिए 14,47,200 रु०
 मात्र का आयात लाइसेंस सं. पी/सीजी/2085873 दिनांक
 4-11-82 प्रदान किया गया था ।

2. अब लाइसेंसधारी ने आयात-लाइसेंस (दोनों प्रतियों) की अनुमिति सीमा-शुल्क/मुद्रा-विनियम प्रतियां जारी करने के लिए इस आधार पर अनुरोध किया है कि मूल आयात लाइसेंस अभ्यर्थी में सीमा-शुल्क प्रधिकारी से वंजीकृत कराने

के पश्चात् और 12,53,642 रु० की सीमा तक उपयोग करने के पश्चात् खो गया है और उसमें 1,93,558 रु० की धनराश का उपयोग करना शेष है। लाइसेंसधारी सहमत हैं और बता देता है कि यदि मूल आयात लाइसेंस बाद में मिल गया तो उसे इस कार्यालय को रिकार्ड के लिए लौटा देंगे।

3. अपने तर्क के सन्दर्भ में लाइसेंसधारी ने 1984-85 की आयात-निर्यात क्रियाविधि हैडबुक के अध्याय 15 के 353 में यथा अपेक्षित एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि मूल आयात लाइसेंस सं. पी/सी/जी/2085873 दिनांक 4-11-82 खो गया है और निवेश देते हैं कि आयात लाइसेंस की अनुलिपि प्रति पार्टी को जारी की जाए। मूल आयात लाइसेंस रद्द कर दिया गया है।

4. आयात लाइसेंस की अनुलिपि सीमा-शुल्क और मुद्रा विनियम प्रतियां अलग से जारी की जा रही हैं।

[मि. सं. 1251/82/12/आई एन एस ए/सी जी 4/200]

पाल बेक, उप-मुख्य नियंत्रक, आयात-निर्यात
कुते मुख्य-नियंत्रक आयात-निर्यात

(Office of the Chief Controller of Imports & Exports)

New Delhi, the 14th September, 1984

ORDER

S.O. 3098.—Shri Purshottam L. Patel, 228, Todi Industrial Estate, N. M. Joshi Marg, Lower Parel, Bombay-11 was granted an Import Licence No. P/CG/2085873 dated 4-11-82 for Rs. 14,47,200 only for import of Capital Goods from West Germany/Italy/U.S.A. against applicant's own foreign exchange savings abroad.

2. The Licensee has now requested for the issue of duplicate Customs/ Exchange copies of import licence (both copies) on the ground that the original import licence has been lost after having been registered with customs authority at/Bombay and utilized to the extent of Rs. 12,53,642 leaving a balance of Rs. 1,93,558. The licensee agrees and undertakes to return the original import licence if traced to this office for record.

3. In support of his contention the licensee has filed an affidavit as required in 353 of chapter XV of Hand Book of Import-Export Procedures 1984-85. The undersigned is satisfied that the original import licence No. P/CG/2085873 dated 4-11-82 has been lost and directs that duplicate copy of import licence may be issued to the party. The original import licence has been cancelled.

4. The duplicate Customs and Exchange copies of import licence is being issued separately.

[F. No. 1251/82/12/INSA/CG IV/200]

PAUL BECK, Dy. Chief Controller of
Imports & Exports
for Chief Controller of Imports & Exports

(बी० एल० अनुभाग)

नई दिल्ली, 18 सितम्बर, 1984

आदेश

का०आ० 3099—श्री बी० के० आहूजा, भारतीय दूतावास कराकास को वाक्सवान गोल्फ ईजल 1980 मॉडल के

आयात के लिए 50,000 रु० मात्र का एक सीमा शुल्क निकासी परिमिट सं० पी/जे/3072579 दिनांक 27-6-84 प्रदान किया गया था। आवेदक ने उपर्युक्त सीमा-शुल्क निकासी परिमिट की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क निकासी परिमिट उसे प्राप्त नहीं हुआ है। आगे यह बताया गया है कि मूल सीमा-शुल्क निकासी परिमिट किसी भी सीमा-शुल्क प्राधिकारी के पास पंजीकृत नहीं कराया गया था और इस प्रकार सीमा-शुल्क निकासी परिमिट के मूल्य का बिल्कुल भी उपयोग नहीं किया गया है।

श्री बी० के० आहूजा को 50,000 रु० के लिए सीमा-शुल्क निकासी परिमिट सं० डी-2471995 दिनांक 17-7-84 की अनुलिपि प्रति जारी कर दी गई है।

[सं० जी ए-94/83-84/बी० एल० एस०/1898]
बी० के० मेहता,

संयुक्त मुख्य नियंत्रक, आयात-निर्यात

(B. L. Section)

New Delhi, the 18th September, 1984

ORDER

S.O. 3099.—Shri V. K. Ahuja, Embassy of India, Caracas was granted a Customs Clearance Permit No. P/J/3072579 dt. 27-6-84 for Rs. 50,000 only for import of Volkswagen Golf Diesel 1980 Model. The applicant has applied for issue of Duplicate copy of the above mentioned Customs Clearance Permit on the ground that the original CCP has not been received by him. It has further been stated that the original CCP was not registered with any Customs Authority and as such the value of the CCP has not been utilised at all.

A duplicate copy of the Customs Clearance Permit No. D-2471995 dt. 17-7-84 for Rs. 50,000 has been issued to Shri V. K. Ahuja.

[No. GA-94/83-84/BLS/1898]

V. K. MEHTA, Jr. Chief Controller, Imports & Exports

संयुक्त मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

बंगलौर, 3 जुलाई, 1984

रद्द करने का आदेश

विषय :—परियोजना निदेशक, इनसाट-1 सेगमेंट परियोजना कार्यालय, अन्तर्रिक्ष विभाग, बंगलौर-560001 को जारी किए गए 32,500 रु० के लिए जारी किए गए आयात लाइसेंस सं० जी०/ए०/1100148] दिनांक 4-8-1983 की सीमा शुल्क प्रयोजन प्रति को रद्द करने का आदेश।

का०आ० 3100.—परियोजना निदेशक, इनसाट-1, अन्तर्रिक्ष सेगमेंट परियोजना कार्यालय, अन्तर्रिक्ष विभाग, 10-क, कस्टरूबा रोड, बंगलौर-1 को 32,500 रु० के किलप्रयोजन को सीमित विभाग का आयात करने के लिए एक आयात लाइसेंस सं० जी०/ए०/1100148 सी एक्स एक्स/88एक्स/83 दिनांक 4-8-1983 जारी किया गया था। उन्होंने उपर्युक्त लाइसेंस की सीमा शुल्क प्रयोजन प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि मूल लाइसेंस आशिक

रुप से अर्थात् 28,500 रु. तक प्रयुक्त करने तथा सीमा शुल्क प्राधिकारी (ए० सी० सी०) बगलौर एवं कागी कम्प्लेक्स के पास पजीकृत कराने के बाद खो गया है और अब उसमें जेप 4,000 रु. रह गा है।

अपने तर्क के समर्थन में प्रार्थी ने पजीयक, लघु मामलों की न्यायालय, बगलौर शहर में विधिवत् सत्यापित एक शपथ पत्र दाखिल किया गया है।

मैं सत्यष्ट हूँ कि 32,500 —रु. मूल्य के आयात लाइ-मेस स० जी/ए/1100148 दिनांक 4-8-83 की सीमा शुल्क प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है और प्रार्थी को सीमा शुल्क प्रयोजन प्रति की अनुलिपि प्रति शेष मूल्य अर्थात् 4,000 रु. के लिए जारी कर दी जाए।

लाइसेस की मूल सीमा शुल्क प्रयोजन प्रति को एतद् द्वाग रह किया जाता है।

[मिनिट स० आई टी सी /ए०/15/सरकार/ए० एम-84-बैग]

अ० थुक्का राम, उप मुख्य नियवक, आयात एवं निर्यात, कृते संयुक्त मुख्य नियवक, आयात एवं निर्यात,

(Office of the Jt. Chief Controller of Imports and Exports)

Bangalore, the 3rd July, 1984

CANCELLATION ORDER

Sub.—Cancellation of Customs purpose copy of import licence No G/A/1100148 dt 4-8-1983 for Rs 32,500 issued to The Project Director, Insat-1, Segment Project Office, Department or space, Bangalore-560001

S.O 3100—The project Director, INSAT-1 Space Segment Project Office, Department of Space, 10-A, Kasturba Road, Bangalore, I was granted an import licence No G A. 1100148[C]XX[88]X/83 dated 4-8-1983 for Rs 32,500 for import of Clip on DC Millimeter They have requested for issue of duplicate copy of Custom, purpose copy of the said licence on the ground that the original licence has been lost after having been registered with Customs authorities (ACC) Bangalore Air Cargo Complex having partly utilised the licence for Rs 28,500 leaving the balance value of Rs 4,000

In support of their request, the applicant have been filed an affidavit duly sworn in before the Registrar, Court of Small Causes, Bangalore City

I am satisfied that the Customs purposes copy of the licence No G/A/1100148 dt 4-8-83 for Rs 32,500 has been lost misplaced and that a duplicate customs purposes copy of the said licence may be issued to the applicant for a value of Rs. 4,000

The original customs purpose copy of the said licence is hereby cancelled

[F No. ITC/AU/15/GOVT /A M 84]BANG.]

A. THUKKARAM, Dy Chief Controller of Imports & Exports

for Jt Chief Controller of Imports & Exports

खाद्य एवं नागरिक पूर्ति भवालय

(नागरिक पूर्ति विभाग)

नई दिल्ली, 15 सितम्बर, 1984

का० आ० 3101.—व्यापार और पर्य चिह्न नियम, 1959 में कठियम और संशोधन करने के लिए नियमों का

निम्नलिखित प्रारूप, जिसे व्यापार और पर्य चिह्न अधिनियम, 1959 की धारा 133 द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए बनाने की प्रास्थापना है, उक्त धारा की उपधारा (1) की अपेक्षानुसार ऐसे सब व्यक्तियों की जानकारी के लिए प्रकाशित किया जाता है जिनके उमर प्रभावित होने की संभावना है। इसके द्वारा यह सूचना दी जाती है कि उक्त प्रारूप पर इस अधिसूचना के रजपत्र में प्रकाशन की तारीख से दो मास की समाप्ति पर या उसके पश्चात् विचार किया जाएगा।

ऐसे अधियों और सुझावों पर जो इस प्रकार विनिर्दिष्ट तारीख के पूर्व उक्त प्रारूप की बाबत विसी व्यक्ति से प्राप्त होंगे, केवल सरकार विचार करेगी।

संशोधनों का प्रारूप

1 इन नियमों का संक्षिप्त नाम व्यापार और पर्य चिह्न (संशोधन) नियम, 1984 है।

2 व्यापार और पर्य चिह्न नियम, 1959 में नियम 148 में, खण्ड (iii) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्—

(iii) नियम 152 में विहित परीक्षा उत्तीर्ण कर चुका है या अधिवक्ता अधिनियम, 1961 के पर्य में अधिवक्ता है या भारतीय कम्पनी सचिव संस्थान का सदस्य है।

[फा० स० 29/1-आई०टी०/टी०ए०/83]
पी०ए०न० कौल, आर्थिक परामर्शी

MINISTRY OF FOOD AND CIVIL SUPPLIES

(Department of Civil Supplies)

New Delhi, the 15th September, 1984

S.O 3101—The following draft of certain further amendments to the Trade and Merchandises Marks Rules, 1959 which it is proposed to make in exercise of the powers conferred by section 133 of the Trade and Merchandise Marks Act, 1958 (43 of 1958), is published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after two months from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person in respect of the said draft before the date specified will be considered by the Central Government.

DRAFT AMENDMENTS

1. These rules may be called the Trade and Merchandise Marks (Amendment) Rules, 1984.

2 In the Trade and Merchandise Marks Rules, 1959, in rule 148 for clause (iii), the following shall be substituted, namely—

"(iii) has passed the examination prescribed in rule 152 or is an Advocate within the meaning of the Advocates Act, 1961 or is a Member of the Institute of Company Secretaries of India;".

[File No 29/1/IT/TM/83]
P. N. KAUL, Economic Adviser

विदेश मंत्रालय

नई दिल्ली, 12 सितम्बर, 1984

का० आ० 3102—राजनयिक एवं कोंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41) की धारा 2 के खंड (क) के अनुपालन में, केन्द्र सरकार इसके द्वारा, तोक्यो स्थित भारतीय राजदूतावास में सहायक श्री एस० सोमनाथन को 17 अगस्त, 1984 से कोंसली एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[सं० टी-4330/2/84]

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 12th September, 1984

S.O. 3102.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri S. Somanathan, Assistant in the Embassy of India, Tokyo to perform the duties of Consular Agent with effect from 17th August, 1984.

[No. T-4330/2/84]

का० आ० 3103—राजनयिक एवं कोंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41) की धारा 2 के खंड (क) के अनुपालन में केन्द्र सरकार इसके द्वारा, चिकागो स्थित भारत का प्रधान कोंसलावास में सहायक श्री एस० के० दत्ता को 10 सितम्बर, 1984 से कोंसली एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[सं० टी 4330/2/84]

बी० एस० निडर, अवर सचिव,

S.O. 3103.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri S. K. Data, Assistant in the Consulate General of India, Chicago to perform the duties of Consular Agent with effect from 10th September, 1984.

[No. T. 4330/2/84]
B. S. NIDDAR, Under Secy.

उद्योग मंत्रालय
(औद्योगिक विकास विभाग)
आदेश

नई दिल्ली, 6 सितम्बर, 1984

का० आ० 3104.—आई डी आर ए केन्द्रीय सरकार, विकास परिषद् (प्रक्रिया) नियम, 1952 के, नियम 2, 4 और 5 के साथ पठित उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के आदेश सं० का० आ०

451/आई डी आर ए, तारीख 3 जनवरी, 1983, में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त आदेश में क्रम सं० 12 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“श्री जे० डी० चतुर्वेदी, संयुक्त सलाहकार (उपभोक्ता उद्योग), योजना आयोग, नई दिल्ली।”

[फा. सं. 14 (15)/81-डीपीआर/इजीजी)
ए. पी. सरवन, संयुक्त सचिव

MINISTRY OF INDUSTRY

(Department of Industrial Development)

ORDER

New Delhi, the 6th September, 1984

S.O. 3104/IDRA.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with rules 2, 4 and 5 of the Development Council (Procedural) Rules, 1952, the Central Government hereby makes the following amendment in the Order of the Government of India No. S. O. 451/IDRA, dated the 3rd January, 1983, namely :—

In the said Order for Serial No. 12 and the entry relating thereto, the following shall be substituted, namely :—

“Shri J. D. Chaturvedi, Joint Adviser (Consumer Industries), Planning Commission, New Delhi.”

[F. No. 14(15)/81-DPR/EGG]
A. P. SARWAN, Jr. Secy.

ऊर्जा मंत्रालय

पेट्रोलियम विभाग

नई दिल्ली, 10 सितम्बर, 1984

का० आ० 3105 :—यतः पेट्रोलियम और खनिज पृष्ठालाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 1387, तारीख 28-4-84 द्वारा केन्द्रीय सरकार के उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइपलाइन का विछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

अब यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

अब यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय

सरकार एतद्वारा घोषित करती है, कि इस अधिसूचना से मंलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप-लाइन बिलाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार में निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, बंबई के क्षेत्रीकरण में सभी आधारों से मुक्त रूप में इस घोषणा के प्रकाशन की तारीख से निहित होगा।

एल० ए० केस नंबर 38/84

अनुसूची

पाइप-लाइन मानवुर्द गांव में तालुकः—कुला, जिला : बम्बई,
महाराष्ट्र

गांव	खसरा नंबर	हिस्सा	क्षेत्रफल		
			नंबर	हेक्टर	एयर
मानवुर्द	138 का भाग	--	00	02	
—"	150 का भाग	--	00	02.25	
—"	245 का भाग	--	00	04	

[सं. O-12016/19/84-प्राइड०]
पी. के. राजगोपालन, डैस्ट्रॅक्ट्र अधिकारी

MINISTRY OF ENERGY
(Department of Petroleum)
ORDER

New Delhi, the 10th September, 1984

S.O. 3105.—Whereas by a notification of Government of India in the Ministry of Energy (Department of Petroleum), S.O. 1387 dated 28-4-84 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the Lands specified in the Schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government.

And further the Central Government has after considering the said report, decided to acquire the right of user in the Lands specified in the Schedule appended to this notification.

Now therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification are hereby acquired for laying the pipelines.

And further, in exercise of the power conferred by Sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication that the right of user in the said lands shall instead of vesting Ltd., Bombay free from all encumbrances.

L.A. Case No. 38/84

SCHEDULE
Pipeline passing through Village Mankhurd,
Tehsil : Kurla, Dist. Bombay State : Maharashtra

Village	Survey No./Gut No.	Hissa No.	Areas
		H	R
Mankhurd	138 Part	..	00 02
"	150 "	..	00 02.25
"	245 "	..	300 04

[No. O-12016/19/84-Prod.)]
P.K. RAJAGOPALAN, Desk Officer

{ (विद्युत विभाग)

नई दिल्ली, 15 सितम्बर, 1984

का०प्रा० 3106.—केन्द्रीय सरकार, भारतीय विद्युत अधिनियम, 1910(1910 का 9) की धारा 36 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और निम्नलिखित अधिसूचनाओं, अर्थात् :—

(1) भारत के राजपत्र, भाग, II खंड 3 (ii), तारीख 15-2-1975 के पृष्ठ 608 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय के विद्युत विभाग की अधिसूचना सं० का० प्रा० 434 तारीख 16-1-75,

(2) भारत के राजपत्र, भाग 2, खंड 3(ii), तारीख 3-1-76 के पृष्ठ 19 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय के विद्युत विभाग की अधिसूचना सं० का० प्रा० 25, तारीख 16-12-75,

(3) भारत के राजपत्र, भाग II, खंड 3(ii), तारीख 12-6-76 के पृष्ठ 2033 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय के विद्युत विभाग की अधिसूचना सं० का० प्रा० 1954, तारीख 26-5-76,

(4) भारत के राजपत्र, भाग II, खंड 3(ii) तारीख 8-10-77 के पृष्ठ 3636 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय के विद्युत विभाग की अधिसूचना सं० का० प्रा० 3088, तारीख 20-9-77,

(5) भारत के राजपत्र, भाग II, खंड 3(ii) तारीख 16-8-80 के पृष्ठ 2855 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय के विद्युत विभाग की अधिसूचना सं० का० प्रा० 2064, तारीख 26-6-80,

(6) भारत के राजपत्र, भाग II, खंड 3(ii), तारीख 20-2-82 के पृष्ठ 703 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय के विद्युत विभाग की अधिसूचना सं० का० प्रा० 659, तारीख 20-1-82, को, उन बातों के सिवाय अधिकांत करते हुए, जिन्हें ऐसे अधिकारण में पहले किया गया है या करने का लोप किया गया है, श्री बी०एम० रेड्डी, निवेशक, केन्द्रीय विद्युत प्राधिकरण, नई दिल्ली को, केन्द्रीय

सरकार और संघ राज्य क्षेत्रों के या उसके नियंत्रण के अधीन वाले नीचे विनिर्दिष्ट सभी संस्थानों की बाबत सिवाय निम्न घोलता संस्थापनों के जिनका निरीक्षण विषयुत के तत्संबंधी प्रदायकों द्वारा किया जाता रहेगा, विषयुत निरीक्षक नियुक्त करती है :—

1. संघ राज्य क्षेत्र :

अंदमान और निकोबार द्वीप
अरुणाचल प्रदेश; दावरा और नागर हवेली;
गोवा, दमण और द्वीप; लक्षद्वीप; मिजोरम
और पांडिचेरी।

2. कृषि मंत्रालय .

- (1) कृषि और सहकारिता विभाग। (सभी संस्थापन)
- (2) कृषि अनुसंधान और शिक्षा विभाग
- (3) रसायन और उर्वरक मंत्रालय (सभी संस्थापन)

4. वाणिज्य मंत्रालय :

- (1) वाणिज्य विभाग (सभी संस्थापन)
- (2) वस्त्र विभाग

5. संचार मंत्रालय (विदेश संचार प्रणाली)

- 6. शिक्षा और संस्कृति मंत्रालय : (सभी संस्थापन)
- (1) शिक्षा विभाग
- (2) मंस्कृति विभाग

7. ऊर्जा मंत्रालय :

- (1) विद्युत विभाग
- (2) पैदलियम विभाग
- (3) कोयला विभाग
- (4) गैर पारम्परिक ऊर्जा स्रोत विभाग

8. विदेश मंत्रालय (सभी संस्थापन)

- 9. वित्त मंत्रालय :
- (1) आर्थिक कार्य विभाग
- (2) व्यय विभाग (सभी संस्थापन)
- (3) राजस्व विभाग

10. खाद्य और नागरिक पूर्ति मंत्रालय : (सभी संस्थापन)

- (1) खाद्य विभाग
- (2) नागरिक पूर्ति विभाग

11. स्वास्थ्य और परिवार कल्याण मंत्रालय : - (सभी संस्थापन)

- (1) स्वास्थ्य विभाग
- (2) परिवार कल्याण विभाग

12. गृह मंत्रालय (मंत्रालय में राजभाषा विभाग और कार्मिक और प्रशासनिक सुधार विभाग सहित) (सभी संस्थापन)

13. उद्योग मंत्रालय :

- (1) औद्योगिक विकास विभाग (सभी संस्थापन)
- (2) भारी उद्योग विभाग (सभी संस्थापन)

- 14. सूचना और प्रसारण मंत्रालय (सभी संस्थापन)
- 15. सिंचाई मंत्रालय
- 16. श्रम और पुनर्वास मंत्रालय :
 - (1) श्रम विभाग
 - (2) उन्नर्यास विभाग (सभी संस्थापन)
- 17. विधि, न्याय और कंपनी कार्य मंत्रालय :
 - (1) विधि कार्य विभाग
 - (2) न्याय विभाग
 - (3) विधायी विभाग
 - (4) कंपनी कार्य विभाग
- 18. योजना मंत्रालय, सांस्थिकी विभाग (सभी संस्थापन) सहित
- 19. ग्रामीण विकास मंत्रालय (सभी संस्थापन)
- 20. नौवहन और परिवहन मंत्रालय (सभी संस्थापन)
- 21. समाज कल्याण मंत्रालय (सभी संस्थापन)
- 22. इस्पात विभाग और खान मंत्रालय :
 - (1) इस्पात विभाग (खान और खनिज को छोड़ कर सभी संस्थापन)
 - (2) खान विभाग
- 23. पर्यटन और नागर विमानन मंत्रालय : (सभी संस्थापन)
- (1) पर्यटन विभाग
- (2) नागर विमानन विभाग
- 24. निर्माण और आवास मंत्रालय (सभी संस्थापन)
- 25. परमाणु ऊर्जा विभाग (खानों को छोड़ कर सभी संस्थापन)
- 26. इलैक्ट्रानिकी विभाग (सभी संस्थापन)
- 27. परिस्थिति विज्ञान विभाग (सभी संस्थापन)
- 28. महासागर विकास विभाग (सभी संस्थापन)
- 29. संसदीय कार्य विभाग (सभी संस्थापन)
- 30. विज्ञान और प्रौद्योगिकी विभाग (सभी संस्थापन)
- 31. अंतरिक्ष विभाग (सभी संस्थापन)
- 32. खेल विभाग (सभी संस्थापन)
- 33. पूर्ति विभाग (सभी संस्थापन)
- 34. मंत्रिमंडल सचिवालय (सभी संस्थापन)
- 35. राष्ट्रपति सचिवालय (सभी संस्थापन)
- 36. प्रधानमंत्री कार्यालय (सभी संस्थापन)
- 37. योजना आयोग (सभी संस्थापन)

(Department of Power)

New Delhi, the 15th September, 1984

S.O. 3106.—In exercise of the powers conferred by sub-section (1) of section 36 of the Indian Electricity Act, 1910 (9 of 1910) and in supersession of the notifications :—

- (1) the Government of India, Ministry of Energy, Department of Power, notification No. S.O. 434 dated 16-1-75 published in the Gazette of India, Part II, Section 3 (ii), dated 15-2-75 at page 608.
- (2) the Government of India, Ministry of Energy, Department of Power, notification No. S.O. 25, dated 16-12-75 published in the Gazette of India, Part II, Section 3(ii), dated 2-1-76 at page 19.
- (3) the Government of India, Ministry of Energy, Department of Power, notification No. S.O. 1954, dated 26-5-76 published in the Gazette of India, Part II, Section 3(ii), dated 12-6-76 at page 2033.
- (4) the Government of India, Ministry of Energy, Department of Power, notification No. S.O. 3088 dated 20-9-77 published in the Gazette of India, Part II, Section 3(ii), dated 8-10-77 at page 3636.
- (5) the Government of India, Ministry of Energy, Department of Power, notification No. S.O. 2004, dated 26-6-80 published in the Gazette of India, Part II, Section 3(ii), dated 16-8-80 at page 2855.
- (6) the Government of India, Ministry of Energy, Department of Power, notification No. S.O. 659, dated 20-1-82 published in the Gazette of India, Part II, Section 3(ii), dated 20-2-82 at page 703.

except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints Shri B. M. Reddy, Director, Central Electricity Authority, New Delhi to be the Electrical Inspector in respect of all installations belonging to or under the control of the Central Government and the Union Territories as specified below, except for the low voltage installations which shall continue to be inspected by the respective suppliers of electricity :—

1. Union Territories :

Andaman and Nicobar Islands;
Arunachal Pradesh; Dadra and Nagar Haveli; Goa, Daman and Diu;
Lakshadweep; Mizoram and Pondicherry.

2. Ministry of Agriculture (Krishi Mantralaya):

- (i) Department of Agriculture and co-operation (Krishi aur Sahkarita-Vibhag).
- (ii) Department of Agricultural Research and Education. (Krishi Anusandhan aur Shiksha Vibhag)

3. Ministry of Chemical and Fertilizers (All Installations) (Rasayan aur Urvarak Mantralaya)

4. Ministry of Commerce (Vanijya Mantralaya) (All Installations)

- (i) Department of Commerce (Vanijya Vibhag)
- (ii) Department of Textiles (Vastra Vibhag)

5. Ministry of Communications (Sanchar Mantralaya) Overseas Communication System.

6. Ministry of Education and Culture (Shiksha aur Sanskriti Mantralaya);

- (i) Department of Education (Shiksha Vibhag) (All Installations)

(ii) Department of Culture (Sanskriti Vibhag)

7. Ministry of Energy (Oorja Mantralaya);

- (i) Department of Power (Vidyut Vibhag) (All Installations except mines and oil fields)

(ii) Department of Petroleum (Petrolcum Vibhag)

(iii) Department of Coal (Coyala Vibhag)

(iv) Department of Non-conventional Energy Sources (Gair-Paramparik Oorja Srota Vibhag)

8. Ministry of External Affairs (Videsh Mantralaya) (All Installations)

9. Ministry of Finance (Vitta Mantralaya)

(i) Department of Economic Affairs (Arthik Karya Vibhag)

(ii) Department of Expenditure (Vyaya Vibhag) (All Installations)

(iii) Department of Revenue (Rajaswa Vibhag)

10. Ministry of Food and Civil Supplies (Khadya aur Nagrik Poorti Mantralaya):

(i) Department of Food (Khadya Vibhag) (All Installations)

(ii) Department of Civil Supplies (Nagrik Poorti Vibhag)

11. Ministry of Health and Family Welfare (Swasthya aur Parivar Kalyan Mantralaya) :

(i) Department of Health (Swasthya Vibhag) (All Installations)

(ii) Department of Family Welfare (Nagrik Parivar Kalyan Vibhag)

12. Ministry of Home Affairs (Grilh Mantralaya) with a Department of Official Language (Rajbhasha Vibhag) and a Department of Personnel and Administrative Reforms (Karmik aur Prashasnik Sudhar Vibhag) within the Ministry (Mantralaya)

13. Ministry of Industry (Udyog Mantralaya):

(i) Department of Industrial Development (Audyogik Vikas Vibhag) (All Installations)

(ii) Department of Heavy Industry (Bhari Udyog Vibhag) (All Installations)

14. Ministry of Information and Broadcasting (Soochana aur Prasar Mantralaya) (All Installations)

15. Ministry of Irrigation (Sinchai Mantralaya) (All Installations)

16. Ministry of Labour and Rehabilitation (Shram aur Punarwas Mantralaya) :

(i) Department of Labour (Shram Vibhag) (All Installations)

(ii) Department of Rehabilitation (Punarwas Vibhag)		35. President's Secretariat (Rashtrapati Sachivalaya)	(All Installations)
17. Ministry of Law, Justice and Company Affairs (Vidhi, Nyaya aur Kampani Karya Mantralaya):		36. Prime Minister's Office (Pradhan Mantri Karyalaya)	(All Installations)
(i) Department of Legal Affairs (Vidhi Karya Vibhag)	(All Installations)	37. Planning Commission (Yojana Ayog)	(All Installations)
(ii) Department of Justice (Nyaya Vibhag)			
(iii) Legislative Department (Vidhaye Vibhag)			
(iv) Department of Company Affairs (Kampani Karya Vibhag)			
18. Ministry of Planning (Yojana Mantralaya) with a Department of Statistics (Sankhyiki Vibhag)	(All Installations)		
19. Ministry of Rural Development (Gramin Vikas Mantralaya)	(All Installations)		
20. Ministry of Shipping and Transport (Naukaran aur Pariwahan Mantralaya):	(All Installations)		
21. Ministry of Social Welfare (Samaj Kalyan Mantralaya)	(All Installations)		
22. Ministry of Steel and Mines (Ispat Vibhag aur Khan Mantralaya)			
(i) Department of Steel (Ispat Vibhag)	(All installations)		
(ii) Department of Mines (Khan Vibhag)	(except mines and minerals)		
23. Ministry of Tourism and Civil Aviation (Paryatan aur Nagar Viman Mantralaya):			
(i) Department of Tourism (Paryatan Vibhag)	(All Installations)		
(ii) Department of Civil Aviation (Nagar Viman Vibhag)			
24. Ministry of Works and Housing (Nirman aur Awas Mantralaya)	(All Installations)		
25. Department of Atomic Energy (Parmanu Oorja Vibhag)	(All installations (except mines))		
26. Department of Electronics (Electroniki Vibhag)	(All Installations)		
27. Department of Ecology (Paristhitiji Vigyan Vibhag)	(All installations)		
28. Department of Ocean Development (Mahasagar Vikas Vibhag)	(All Installations)		
29. Department of Parliament Affairs (Sansadiya Karya Vibhag)	(All Installations)		
30. Department of Science and Technology (Vigyan aur Praudyogiki Vibhag)	(All Installations)		
31. Department of Space (Antariksh Vibhag)	(All Installations)		
32. Department of Sports (Khel Vibhag)	(All Installations)		
33. Department of Supply (Poorti Vibhag)	(All Installations)		
34. Cabinet Secretariat (Mantrimandal Sachivalaya)	(All Installations)		

[No. 25/4/81-D(SEB) Cop]
ARUN BHATNAGAR, Jt. Secy.

गोवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 13 मितम्बर, 1984

का० आ० ३१०७ :—चैकि श्री एम० थी० भद्रन ने जिन्हे भारत सरकार, नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं० का० आ० २४८२ दिनांक २६-६-८२ के माध्यम से विशाखापत्नम डाक लेबर बोर्ड का सदस्य नियुक्त किया गया था, गोदी श्रमिक (रोजगार विनियमन) नियम, १९६२ के नियम ४, उपनियम (३) के तहत अपने पद से त्यागपत्र दे दिया है, और चैकि उक्त सदस्य के त्यागपत्र देने से उक्त डाक लेबर बोर्ड में स्थान रिक्त हो गया है ;

अतः, अब केन्द्रीय सरकार उक्त नियमों के नियम ४ के उपनियमों के अनुपालन में उक्त रिक्त को अधिसूचित करती है।

[फ० स० ए८ डी बी/६/८४-पू. एस. (एल)]
श्री. संकरालिङ्गम, उप सचिव

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 13th September, 1984

S.O. 3107.—Whereas Shri M. V. Bhadram, who was appointed as a member of the Visakhapatnam Dock Labour Board by the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing), No. S.O. 2482 dated 26-6-82 has resigned his office under sub-rule (3) of rule 4 of Dock Workers (Regulation of Employment) Rules, 1962;

And whereas a vacancy has occurred in the said Dock Labour Board by the resignation of the said member;

Now, therefore, in pursuance of the provisions of rule 4 of the said rules the Central Government hereby notifies the said vacancy.

V. SANKARALINGAM, Dy. Secy.
[F. No. LDV/6/84-US(L)]

मूचना और प्रसारण मंत्रालय

नई दिल्ली, 6 सितम्बर, 1984

का० आ० ३१०८ :—चलचित्र अधिनियम, १९५२ की धारा ५(१) और चलचित्र (प्रमाणन) नियम, १९८३ के नियम ७ और ८ द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार एतद्वारा श्रीमती ललिता अभ्यंकर और

श्री एम बी. सिंह का केन्द्रीय फिल्म प्रमाणन बोर्ड के अंगतीर मलाहकार पैनल की सदस्यता में त्यागपत्र तत्काल से स्वीकार करनी है।

[फाइल मंज्या 811/5/82-एफ (सी)]

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 6th September, 1984

S.O. 3108.—In exercise of the powers conferred by section 5(1) of the Cinematograph Act, 1952 and rules 7 and 8 of the Cinematograph (Certification) Rules, 1983, the Central Government hereby accepts the resignations of Smt. Lalita Ubbayanker and Shri M. B. Singh from the membership of the Advisory Panel of the Central Board of Film Certification at Bangalore with immediate effect.

[File No. 811/5/82-F(C)]

नई दिल्ली, 12 सितम्बर, 1984

का. आ. 3109.—चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करने वाले, केन्द्रीय सरकार एवं द्वारा केन्द्रीय फिल्म प्रमाणन बोर्ड द्वारा प्रमाणित फिल्मों (बोर्डियों फिल्मों को छोड़कर) के संबंध में फिल्म की एक प्रिट/वीडियो कापी को जमा करने से संबंधित चलचित्र (प्रमाणन) नियम, 1983 के नियम 28 के उपनियम (1) के उपबन्धों से 1-9-84 से 31-12-84 तक की अवधि के लिए इस शर्त पर छूट देनी है कि अंतर्रक्षक फिल्म की गृहिणी स्क्रिप्ट को केन्द्रीय फिल्म प्रमाणन बोर्ड के पास जमा करेगा।

[फाइल मंज्या 806/21/83-एफ (सी)]

के. एम. वेंकटरामन, अवार सचिव

New Delhi, the 12th September, 1984

S.O. 3109.—In exercise of the powers conferred by section 9 of the Cinematograph Act, 1952 (37 of 1952), the Central Government hereby grants exemption from the provisions of sub-rule (1) of rule 28 of the Cinematograph (Certification) Rules, 1983 relating to deposit of a print/video copy of the film in respect of films (excluding video films) certified by the Central Board of Film Certification for the period 1-9-84 to 31-12-84 subject to the condition that the applicant shall deposit a shooting script of the film to the Central Board of Film Certification.

[File No. 806/21/83-F(C)]

K. S. VENKATARAMAN, Under Secy.

श्रम और पुनर्वास संवालय

(श्रम विभाग)

नई दिल्ली, 28 अगस्त, 1984

आदेश

का. आ. 3110.—केन्द्रीय सरकार की राय है कि इससे उपायद्वारा अनुसूची में विनिर्दिष्ट विषय के बारे में भारतीय खाद्य नियम में सम्बद्ध एक श्रीयोगिक विवाद नियंत्रणों द्वारा उसके कर्मकारों के बीच विद्यमान है;

और, केन्द्रीय सरकार, उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांधनीय समझती है;

अतः, केन्द्रीय सरकार, श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक श्रीयोगिक अधिकरण गठित करनी है। जिसके पीठासीन अधिकारी श्री के. एस. गुरुमूर्ति होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिये निर्देशित करते हैं।

अनुसूची

“क्या भारतीय खाद्य नियम, मद्रास के प्रबंधतात्व की एक सी. आई.आर.वी. के छंटनी किए गए एन.एम.आर. कर्मकार, श्री बी. नन्द कुमार को दुबारा नियोजित का अवसर न देने की कार्यवाही न्यायोनित है? यदि नहीं, तो बंधित कर्मकार किस अनुनोद का हकदार है?”

[म. एल-42012/48/83-डी-2 (बी)/डी-5]

एम. एम. मेहता, डैम्क अधिकारी

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour)

New Delhi, the 28th August, 1984

ORDER

S.O. 3110.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Food Corporation of India and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Govt. hereby constitutes an Industrial Tribunal of which Shri K. S. Gurumurthy shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the management of Food Corporation of India, Madras in not giving opportunity to offer himself for re-employment to the retrenched N.M.R. workman Shri B. Nandkumar at F.C.I., Avadi, is justified? If not, to what relief is the workman concerned entitled to?”

[No. L-42012(48)/83-D.II.B/D.V.]

S. S. MEHTA, Desk Officer

नई दिल्ली, 28 अगस्त, 1984

आदेश

का. आ. 3111.—केन्द्रीय सरकार की राय है कि इससे उपायद्वारा अनुसूची में विनिर्दिष्ट विषय के बारे में मैसर्स मिगरेनी कोमियरीज कम्पनी लिमिटेड रामागुण्डम डिवीजन-2 के प्रबंधतात्व में सम्बद्ध एक श्रीयोगिक विवाद नियंत्रणों और उसके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांधनीय समझती है;

अतः, केन्द्रीय सरकार, श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10

की उपधारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीछासोन अधिकारी श्री आई० पाण्डु रंगा राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या मैसर्स सिंगरेनी कॉलियरीज कम्पनी लिमिटेड, रामगुण्डम छिकीजन-2, डाकघर गोदावरी खानी, जिला कर्मनगर (आ. प्र.) के प्रबंधतत्व का जी. डी. के. 5 ए इक्कलाईट के कोल फिल्स, श्री सीकिला पोंशामल्लु, को 17-4-1983 से सेवा से बख़स्त करना न्यायोचित है? यदि नहीं, तो संवंधित कर्मकार कि अनुतोष का हकदार है?"

[सं० ए.ल-22012/21/84-डी-3(बी)]

New Delhi, the 28th August, 1984

ORDER

S.O. 3111.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Singareni Collieries Company Limited, Ramagundam Division II and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandu Ranga Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

THE SCHEDULE

"Whether the management of Messrs Singareni Collieries Co. Ltd., Ramagundam Division II, P.O. Godavari-khani, Distt. Karimnagar, (AP) are justified in awarding the punishment of dismissal from service with effect from 17-4-1983 to Shri Isikilla Poshanallu, Coal Filler, GDK 5A Incline ? If not, to what relief is the workman concerned entitled?"

[No. I-22012/21/84-D. III(B)]

नई दिल्ली, 3 सितम्बर, 1984

आदेश

का० आ० 3112.—केन्द्रीय सरकार की राय है कि इससे उपाबढ़ अनुसूची में विर्तिदिष्ट विषय के बारे में मै० शसी सीमेंट लि०, विष्णुपुरम के प्रबंधतत्व में सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद का न्यायनिर्णयन के लिए निर्देशित करना चाहनीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) को धारा 7-क और धारा 10 की उपधारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीछासोन अधिकारी श्री आई० पाण्डु रंगा राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण का न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या मैसर्स रामी सीमेंट लि०, डाकघर विष्णुपुरम (वाडापल्ली)-508355, जिला नलगोडा (आ०प्र०) का मे प्रबंधतत्व हैयी इक्कीपमेंट आपरेटर, श्री के० रामलु को 17-1-84 से बख़स्त करने में न्यायोचित है? यदि नहीं, तो संवंधित कर्मकार किस अनुतोष का हकदार है?"

[सं० ए.ल-29012/22/84-डी-3(बी)]

नन्द लाल, अवर सचिव

New Delhi, the 3rd September, 1984

ORDER

S.O. 3112.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of M/s, Raasi Cement Ltd, Vishnupuram and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication,

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandu Ranga Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the management of Messrs Raasi Cement Ltd., P. O. Vishnupuram (Wadapally)-508355, District Nalgonda (A. P.) are justified in dismissing Shri K. Ramulu, Heavy Equipment Operator, from service with effect from 17-1-84 ? If not, to what relief is the workman concerned entitled?"

[No. I-29012/22/84-D. III(B)]

NAND LAL, Under Secy.

New Delhi, the 13th September, 1984

S.O. 3113.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of the Central Government Industrial Tribunal, No. 2, Bombay in the industrial dispute between the employers in relation to the management of Messrs Chowgule and Company Pvt. Ltd., Goa and their workmen, which was received by the Central Government on the 3rd September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY CAMP, MORMUGAO

Reference No. CGIT-2/6 of 1984

PARTIES :

Employers in relation to the management of Messrs Chowgule & Co. Pvt. Ltd, Goa.

AND

Their Workmen

APPEARANCES :

For the employers.—Shri G. Sardesai, Advocate, Shri D. P. Sinha, Manager, Industrial Relations.

For the workmen.—Shri P. R. Krishnan, Vice-President, Shri S. S. Naik, General Secretary, Chowgule Employees' Union.

INDUSTRY : Mining. STATE : Goa, Daman and Diu.
Mormugao, the 9th August, 1984

AWARD

(Dictated in the open Court)

By their order No. L. 26012(24)/83-D. III(B) dated 3-2-1984 the following dispute has been referred for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 :—

"Whether the management of Messrs Chowgule & Co. Pvt. Ltd. are justified in dismissing from service Shri Jyotikumar R. Topajiche, Checker, and Shri Vinayak M. Gaonkar, Labourer working in Sirigao and Costi Iron Ore Mines respectively with effect from 16th August, 1982? If not, to what relief are the workmen concerned entitled?"

2. Since the dispute involves the question of justifiability or otherwise of the dismissal, the reference would be governed by Section 11A of the Industrial Disputes Act. The incident which ultimately resulted in enquiry and dismissal of the workmen is alleged to have taken place on 25-2-1982 in the Canteen, at about 9.00 P. M. The case of the management is that on the relevant date the complainant Shri Prabhakar S. Tari visited the Canteen to take his meal and at the same time S/Shri Jyotikumar R. Topajiche and Vinayak M. Gaonkar happened to be taking their meal. The complainant went to the same table and while he was eating, it was alleged that some rice was thrown by Shri Jyotikumar, which fell on the hands of Shri Tari who to avoid any scene proceeded to the next room. The case of the management is that they followed him and started abusing Shri Tari in filthy language and they also assaulted him and threatened to beat him since he had worked during the strike period. They pulled his rice plate asking why he was eating this rice, he should eat shit. After some time when Shri Tari approached the counter for discharging the bill, there again he was obstructed by the two workmen. The matter was therefore reported to the Foreman as well as to the Shift In-charge and next day a written complaint was submitted which as already stated ended in the enquiry.

3. In the statement of claim filed by the Union on behalf of the workmen after narrating the incident, it is alleged that on receipt of show cause notice why the workmen should not be dismissed, representation was made to the company praying for some time, since there was an attempt on the part of the Union to settle the matter but all of a sudden orders of dismissal dated 16-8-1982 were received, despite the alleged assurance by the employer that there will be no victimisation. It is alleged that the employers had assured the Union that a sympathetic view would be taken but in spite of this assurance the relationship of employer-employee was severed.

4. The grounds on which the Union assails the order of dismissal are that no show cause notice was issued, no letter was issued before the issue of chargesheet to enable the workmen to submit their explanation, that the order of dismissal is against the principles of natural justice and is also arbitrary and untenable, that the workmen were not covered by the Standing Orders, that the assault was in no way concerned with the services of the workmen, that the Enquiry Officer failed to understand and appreciate the word co-worker, the defence of the workmen was not taken into consideration and on these grounds this order is challenged.

5. The company has filed written statement as well as rejoinder whereby they have refuted the various assurances referred in the claim statement. They also narrated the incident which is alleged to have taken place in the canteen of Costi 'A' Mines where the workmen were alleged to be taking their meal and have tried to make out a case that the conduct of these workmen amounted to

misconduct as contemplated by the Standing Orders by which the parties are governed. The company also states the need of confirming the order of dismissal and it was urged that this is necessary to maintain discipline.

6. The issues that arise for determination and my findings thereon are :—

ISSUES	FINDINGS
(i) Is the action of the management in dismissing the two workmen justified?	Yes
(ii) Is the order of dismissal disproportionate or harsh?	No
(iii) Does it require any interference?	No
(iv) What order?	As per order.
(v) What award?	As per order.

REASONS

7. It was urged that when the notice which incorporated the charges against the two workmen was issued no opportunity was given to the workmen to submit their reply and therefore the defence of the workmen was prejudiced. My attention was drawn to the certified Standing Orders which are applicable to the company but nowhere I came across any standing orders whereby an opportunity to give explanation to the notice or chargesheet is contemplated. The Standing Order No. 20 only speaks of the necessity of chargesheet in writing clearly setting forth the circumstances appearing against the workman and requiring explanation and the date and time at which the case will be heard. The term 'requiring explanation' was tried to be taken help of in support of the argument that the workmen were not given opportunity to submit their explanation but under Order No. 20(1) it is clear that what is to be stated in the chargesheet is the circumstances appearing against the workmen and requiring explanation. The two clauses therefore 'appearing against the workmen' and 'requiring explanation' are two adjective clauses of the circumstances which need be quoted in the chargesheet to enable the workmen to know what they have to face for preparing their case and the absence of opportunity for reply to the chargesheet in the first place is not contemplated by the Standing Order, secondly, nowhere during the enquiry any circumstance was pointed out whereby such absence resulted in causing any prejudice to the workmen.

8. The enquiry papers indicate that the two workmen were represented by their colleague Shri Naik, who cross-examined the various management witnesses. In spite of cross-examination by the defence representative, it was argued that no question was put to any of the workmen asking them whether they wanted to cross-examine any of the management's witness or not. The defence was entrusted and defence representative who was conducting the case on behalf of the workmen and when he was allowed to cross-examine the management's witnesses, there was no question of asking the workmen their wish whether they personally wanted to cross-examine the witnesses. On the contrary when the defence was presented, who was conducting the case, all the rights shall be deemed to have been surrendered in favour of the representative who has got the right to proceed in the matter.

9. When we go to the evidence, the record shows that there is sole direct evidence of Shri Prabhakar S. Tari. There was an attempt on the part of the management to lead corroboration to the same by examining Shri Sada, a canteen worker, but his evidence did not support the case of the management fully although he referred to the presence of the two workmen on the relevant date and time. The other witness namely Shri S. C. Tari has no personal

knowledge but he stated that what was communicated to him was ultimately reduced to writing on the next day i.e. 26-2-1982. If therefore Shri S. G. Tari stated something it was not from his personal knowledge as admitted by him but what was communicated to him and as such the evidence would not be that important. In the absence of corroborating testimony therefore the sole testimony of Shri Prabhakar S. Tari was considered and ongoing through the testimony as well as his demeanour in the witness box, the Enquiry Officer observed that he has carefully gone through the statement of Shri Prabhakar Tari and his cross-examination and find that his deposition cannot be doubted. Not only that but he further observed "the way he has answered the cross and his demeanour leads me to fully believe him." Now there must have been some other persons present at the time of incident, out of whom although Shri Sada when examined did not support the case of the management even then on appraisal of evidence if the enquiry officer accepted the said testimony finding it absolutely true, there is no reason to depart from the said finding. In the first place Shri Prabhakar Tari had no cause to involve the two workmen falsely. Neither in the cross-examination nor anywhere any such reason has been attributed, on the contrary if at all any grudge is there it seems to be on the part of the workmen who harboured a feeling that Shri Prabhakar Tari worked during the strike period and therefore went against his co-workers. If therefore there was any reason, the reason or cause was on the part of the workmen and nothing on the part of Shri Prabhakar Tari to implicate the two workmen. No bias has been made out in the instant case and therefore there is no reason as to why Shri Prabhakar Tari should accuse his co-workers of misconduct which in his knowledge would have grave consequences.

10. Shri Prabhakar Tari has stated that on happening the incident he reported the matter to the Shift-in-Charge, who next day reduced it in writing, which is on record at Annexure 'A' where all details are given, which complaint ultimately led to the chargesheet. If any corroboration therefore was necessary the immediate act of reporting the matter to the superior and the complaint filed on the next day act as a piece of corroboration and render full support and merely because no other witness deposed on behalf of the management does not mean that the testimony of Shri Prabhakar Tari can be disbelieved. Shri Prabhakar Tari had no cause to register a false complaint against the workmen.

11. Relying on the plea of Alibi, it was urged that these two workmen were ailing from head-ache and fever and therefore had not attended the work on 25-2-1982, and they were at their respective places. It is true, had the workmen been really sick they could not have been present in the Canteen of the company.

12. The defence examined one witness namely Shri Luis Anthony in support of this plea but his evidence was not believed and rightly. The Canteen facility is available in the same premises of the company. Having regard to this fact, having regard to the evidence of Shri Sada who though does not support the management refer to the presence of these two workmen at the relevant time, read with the statement of Shri Prabhakar Tari, I am not prepared to accept the plea of Alibi or to hold that the two workmen were at a place away from the place of incident.

13. Once we arrive at this conclusion the next question would be the justifiability of the dismissal or otherwise. No doubt in the order of dismissal there is no mention of past record of the workmen. Even then the misconduct as proved, which I hold proved, is sufficiently grave and if the conduct of the workmen is such that they are proved to be indulging in idling and staying away from work under false pretext, there is no sense in ordering reinstatement of these workmen. Under Section 11A of the Act this Tribunal has got power to set aside the order of discharge or dismissal and direct reinstatement of the workmen or to give any other relief. However, whether there is no justification or in any way the punishment awarded is harsh or disproportionate would be a question depending on the factual aspects of each case. In this case as already stated the workmen had assaulted and abused their co-worker not because of

any other cause but because he attended the duties during the strike period. If some of the workmen were on strike, at the same time others who were not convinced about the reason behind the strike did not approve it, they were fully at liberty to attend the duty and if for attending duties any obstruction is caused to the loyal workers, serious note has to be taken. Secondly as already stated the workmen though are proved hale and hearty, refrained from attending duty under false pretext. One of them made a false statement that he was himself sick on that day but in the leave note submitted to the office pertaining to that day he has clearly mentioned that he wanted leave for his brother's sickness. It is nothing but avoiding work on false pretext and considering the defence and considering the unwillingness to attend the normal duties, I am convinced that no purpose would be served by reinstatement of such workmen who do not want to work. Therefore, if the company passed the order of dismissal, the same must be held to be justified atleast in the instant case requiring no interference. It was urged that in the order there is no reference to the past record of the workmen. If there is no bad record the question of referring to the past record does not arise and as such the absence of mention of past record does not invalidate the order of dismissal.

14. Normally mere abusive language on the part of the workmen should never have ended in their dismissal but in this case the two employees under false pretext remained deliberately absent, abused and assaulted the co-worker that too on account of his loyalty to the management during the strike period and considering these facts I do not think that the punishment is disproportionate.

The result is that the reference fails.

Award accordingly.

M. A. DESHPANDE, Presiding Officer
[No. L-26012/24/83-D. III(B)]

S.O. 3114.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Hirri Dolemite Mines of Bihar Steel Plant, Bhilai and their workmen, which was received by the Central Government on the 31st August, 1984.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)
Case No. CGIT/LC(R)/(29)/83

(Ref. No. L-29012/11/82-D. III(B) dated 1-7-1983)
issued by the Central Government.

PARTIES :

Employers in relation to the Management of Hirri Dolemite Mines of Bhilai Steel Plant, Bhilai and Their Workmen represented by Samyukta Khadak Mazdoor Sangh, Hirri Mines.

APPEARANCES :

For the Management—Shri Henri, Law Officer.
For the Union—Shri C. R. Bakshi, General Secretary.

INDUSTRY : Steel. DISTRICT : Durg (MP).

Date of Award August 27 1984

AWARD

The Central Government in exercise of its powers under section 10 of the Industrial Disputes Act referred the following dispute for adjudication :—

"Whether the action of the Management of Bhilai Steel Plant in denying absorption of Shri Jhaggar Singh S/O Rungoo as Khalasi on regular basis in Hirri Mines is justified?" If not, to what relief the workman is entitled?"

Samyukta Khadan Mazdoor Sangh raised an industrial dispute demanding that one Jhaggar Singh who was previously employed by a Contractor who was given the work of transportation of dolomite lumps and chips from Hirri Mines to Dadhapara Railway Siding ought to be absorbed in the establishment of Bhilai Steel Plant in Hirri Dolomite Mines.

It is undisputed that after protracted negotiations between the Union and the Management, a settlement had been arrived at regarding absorption of workers in the employment of contractors, with the Management. Jhaggar Singh was undoubtedly employed as a Truck Driver by the Transport Contractor in one of the Mines of Bhilai Steel Plant and the Settlement pertained to such persons. He was on the rolls of the Contractor on 1-9-1977 and the Settlement clearly covers his case.

The first contention raised by the Management is that the Reference is incompetent for the reason that Jhaggar Singh was not a workman under the Bhilai Steel Plant and, therefore, no industrial dispute could be raised pertaining to such a person. Bhilai Steel Plant did not control the services of Jhaggar Singh, he was employed by a different employer though such an employer had undertaken to execute a contract of transportation of ore. There is no substance in this objection as it is not unusual for Union to come to an agreement as to the conditions of recruitment in an industry. Though the recruitment is directly not controlled by them, they can certainly come to a Settlement regarding certain salient features of recruitment. This controversy is settled at rest long before by the Supreme Court in Kars Construction Co. Private Limited v. Its workmen. AIR 1959 SC 208. Their Lordship observed that it was permissible to come to a Settlement regarding the persons who were not directly under the employment of the establishment.

It was next urged that the so-called settlement is not effective as it had not been registered in accordance with the rules and the provisions of the Industrial Disputes Act. The Union relies on the decision of the Supreme Court in Workmen of M/s. Hindustan Lever Limited v. The Management of M/s. Hindustan Lever Limited, LIL of May, 1984 Vol. I P. 388. It was possible to spell out settlement by exchange of correspondence so as to bind the Management with its terms. It is not necessary for me to dilate on the controversy here as I mean to decide the question on the terms of the Settlement itself, which to my mind are not very helpful to the workman concerned.

As a background to this agreement, it may be stated that the workmen of these contractors with the Bhilai Steel Plant were put to a difficulty when the work of the contractor ended. The new contractor generally brought his own employees and did not give employment to the workmen actually working in the area. It is for this reason that amongst many demands the Union took up their case and sought to give relief to such persons. The Management could not promise much as they could not have much hold on the incoming contractor. It was really not possible to force the incoming contractor in the matter of employment of persons who were in the employment of the outgoing contractor. Therefore there had been a demand for departmentalisation of such labour which was engaged by the contractors when the work itself was of a perennial type. The Bhilai Steel Plant had agreed and had in fact given employment to large number of persons working earlier with the contractors. The Plant, however, needed a particular type of labour and they could employ such labour on the vacancies available with them.

Accordingly an agreement was reached whereby even the drivers who were registered on or before 1-9-1977 with the Employment Exchange and were on the rolls of the contractors on 1-9-1977 could be considered for suitable vacancies in the Bhilai Steel Plant after completing the usual formalities. In pursuance of such an agreement, seven drivers were called for interview. There was an Interview Committee set up for this purpose. Unfortunately Jhaggar Singh reached late and could not really be interviewed whereas six others were interviewed. He came when the Committee was rising. He was, therefore, asked to come later at Bhilai. With the help of the Union, he seems to have appeared before some interviewing persons later on at Bhilai. The six persons that had been interviewed by this Committee were taken as Khalasis. Jhaggar Singh, however, was not taken. To begin with, his

name had been incorrectly written in their records. The seventh person was mentioned as Thakkar Singh. The office clerks informed him that they had referred to the Management for correction of names and as soon as the mistake is corrected, he would be taken in employment. Even after repeated efforts, he was not taken in employment and eventually, the Union raised a dispute before the Assistant Labour Commissioner, who after a failure of conciliation, reported the matter to the Central Government. The matter has accordingly been referred by the Central Government.

There seems to be little doubt that the 7th person interviewed was Jhaggar Singh though incorrectly written in the record of Bhilai Steel Plant as Thakkar Singh. If a vacancy was available and if it was found that he was suitable, he ought to have been appointed. According to the Union, the Management had kept the 7th post vacant and were contemplating to take the person who was mentioned in their record as Thakkar Singh. Afterwards, they did not take him in employment for reasons best known to them.

It would be seen that what Jhaggar Singh could claim was only a right to be considered for a suitable vacancy in the Plant after completing the formalities as regards interview etc. and after qualifying himself there. As stated above, he had not been able to appear in the first interview and we do not know what the second interview was for. Even assuming that he had qualified in the interview, the question would still remain whether there was any vacancy against which he could be absorbed. The Management has categorically stated that there was no vacancy against which the seventh person could be absorbed. This is further stated that they are very much over staffed and they have brought in a voluntary retirement scheme to reduce their manpower. It would not be possible for them to absorb any person whatsoever. The Settlement, it would be seen, cannot compell the Management to absorb all the persons working with the contractors as on 1-9-1977. This may be possible when they had abolished the contract system altogether. Even in such cases they were bound to interview and select. The selection was entirely their right. Moreover, they could not absorb all the persons working with the contractors. They were bound to consider their requirement of manpower. These considerations are well reflected in the Settlement. That being the case, the Management cannot be blamed for not absorbing Jhaggar Singh. The Award is, therefore, made accordingly.

ORDER

The action of the Management of Bhilai Steel Plant in denying absorption of Jhaggar Singh as Khalasi on regular basis in its Hirri Mines is justified. The workman is not entitled to any relief. There will be no order as to costs.

JUSTICE K. K. DUBE, Presiding Officer.

[No. L-29012/11/82-D.III(B)]

NAND LAL, Under Secy.

आदेश

नई दिनी २९ अगस्त, १९८४

का. आ. 3115 — केन्द्रीय सरकार की गय है कि इसमें उपायद्वंद्व अनुसूची में विनियोजित विषय के बारे में भारतीय स्टेट बैंक, हैदरगाबाद के प्रबंधतात्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चाहनीय समझती है,

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकारण गठित करनी है जिसके पीठभीन अधिकारी थी आई. पाण्डुरंगगा राव होगे, जिनका मख्यालय हैदरगाबाद में होगा और उक्त विवाद का उक्त अधिकारण को न्यायनिर्णयन के लिए निर्देशित करती है।

श्रेणीकृति:

"क्या भारतीय स्टेट बैंक के स्थानीय मुख्यालय, हैदराबाद के प्रबन्धन्तरंग की अपनी विजयनागरगम शाखा के भूत-पूर्व कैशियर, श्री के. श्री निवासा गव, को बैंक सेवा में न छोड़ने और 19-3-1966 से उसकी सेवाएँ समाप्त करने की कार्यवाही न्यायांचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुसूत्य का हकदार है?

[म. एल-12012/298/83-ई-2 (प.)]

एन. के. वर्मा, डैम्स अधिकारी

New Delhi, the 14th September, 1984

ORDER.

S.O. 3115.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of State Bank of India, Hyderabad and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (a) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Pandur Ranga Rao shall be the Presiding Officer with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of State Bank of India Local Head Office, Hyderabad in relation to their Vizianagram Branch in not absorbing Shri K. Srivivasa Rao Ex-Cashier in the Bank's service and terminating his services with effect from 19-3-1966 is justified? If not, to what relief is the workman concerned entitled?"

[No. L-12012/293/83-D. II(A)]

N. K. VERMA, Desk Officer

New Delhi, the 14th September, 1984.

S.O. 3116.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers relation to the State Bank of India, Patna, and their workmen which was received by the Central Government on the 4th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3,
DHANBAD

Reference No. 8/84

PRESENT : Shri J. N. Singh, Presiding Officer.

PARTIES :

Employers in relation to the management of State Bank of India, Patna.

AND

Their workman.

APPEARANCES :

For the employers

Sri S. K. Sinha, Advocate.

For the Workman

Sri A. K. Sinha, Asst. General Secretary.

INDUSTRY : BANK

STATE : Bihar

Dated, the 31st August, 1984.

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred by them U/S 10 (1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-12012/176/83-D. II(A) dated the 14th January, 1984.

SCHEDULE:

"Whether the action of the management of State Bank of India, Patna in relation to their Chauhatta Branch in terminating the services of Shri Sachidanand Shukla, Ex-Guard with effect from 2-9-75 and not considering him for further employment while engaging fresh persons after terminating the services of Shri Shukla was justified? If so, to what relief is the workman concerned entitled?"

2. The case of the workman is that he was appointed as Guard by the State Bank of India, Chauhatta Branch with effect from 4-2-75 and worked satisfactorily thereat till 1-9-75 for a total period of 210 days. It is then stated that his services were abruptly terminated by the Bank with effect from 2-9-75 without any fault on his part and without any notice and assigning any reason as laid down in the procedure for retrenchment under the Industrial Disputes Act. It is submitted that after 2-9-75 a number of persons have been engaged on permanent basis by the Bank at different Branches including local head office and Regional Offices but no preference was given to him despite the fact that he was in continuous service U/S 25 (b)(2) of the I. D. Act. It is also submitted that the termination is illegal and therefore he is entitled to reinstatement with retrospective effect.

3. The defence of the management is that this dispute was raised by the union for the first time in March '82 though the retrenchment took place in the year 1975 and it is a stale claim. It is stated that the workman worked at the Chauhatta Branch of the State Bank of India, Patna temporarily for a period of 208 days only and he has not worked with the management for a continuous period of one year in terms of Section 25 (b)(2) of the I. D. Act and so the provisions of Section 25F of the I. D. Act is not attracted and therefore neither any notice nor payment of retrenchment compensation arose. It is also stated that during the period no junior Guard was appointed in his place and so the provisions of Section 25G is also not attracted. It is submitted that the termination is legal and valid and therefore the concerned workman is not entitled to any relief.

4. The point for consideration is as to whether the action of the management in terminating the services of the concerned workman with effect from 2-9-75 and not considering him for further employment while engaging fresh persons after termination is justified. If not to what relief is the workman concerned entitled.

5. It may be stated that no appointment letter has been filed in this case to show the terms and conditions of service of concerned workman. The workman has examined himself as WW-1 and has admitted that he has not received any appointment letter nor any termination letter nor any notice of retrenchment. He has also admitted in his cross-examination no other person was appointed in Chauhatta Branch after his retrenchment as a Guard and no person junior to him was appointed as a Guard there. It is also admitted by him that prior to 1981 he never raised any dispute. A few documents have been filed on his behalf which have been marked Exts. W-1, W-2 and W-3. Ext. W-1 would show that he worked as a Guard for some period in the Judge's Court Road Branch of the State Bank vide letter Ext. W-3. Ext. W-3 would show that he performed the duty of a Guard during the leave vacancy of a Guard till he returned to his duty. Ext. W-2 would show that the concerned workman worked during the period claimed by him with a breakage of 2 days i.e. 2-5-75 and 30-7-75. These documents thus do not prove anything. According to MW-1 who is working as Incharge Staff Cell in Regional Manager's Office, State Bank of India has stated that all the branches of the State Bank have got their separate licences by the Reserve

Bank of India and they are registered separately as Establishments under the Shops and Establishment Act and thus all the branches are separate establishments under law. He has also stated that no persons junior to the concerned workman has been appointed as a Guard after his retrenchment and that the concerned workman got temporary appointment in the exigency of work by the Branch Manager. No evidence has been adduced on behalf of the workman to show if any other person was appointed at Chawbatta Branch after his retrenchment. From the evidence on record it appears that he was appointed temporarily and worked for 208 or 210 days only before his retrenchment.

6. It is, therefore, to be seen as to whether it was obligatory for the Bank to follow the procedure of the Section 25F of the I.D. Act or not and even if it was not obligatory to follow the provisions of Section 25F of the I.D. Act the retrenchment cannot be said to be illegal or unjustified. Section 25(b) of the I.D. Act has defined the word 'continuous service' and it says that where a workman is not in continuous service for a period of one year then he shall be deemed in continuous service under an employer if he has worked under him for 240 days. Section 25F says that no workman employed in any industry who has been in continuous service for not less than one year shall be retrenched until he has been given one month's notice in writing or one month's pay in lieu of notice and retrenchment compensation. The provisions of this section thus would apply only in cases when a workman in continuous service for not less than one year. In this particular case even if the contention of the workman is admitted that he was in service for a period of 210 days only he has not completed 240 days as provided U/S 25 (b) and hence the question of any notice U/S 25F or payment of retrenchment compensation did not arise at all. The termination, therefore, cannot be held to be illegal.

7. The next question is as to whether the management was not justified in not considering him for further appointment while engaging fresh persons. As stated earlier there is no evidence to show that any fresh person was appointed after the termination of the services of the concerned workman. The concerned workman has himself admitted that no such appointment was made. In such cases the question of considering his name for further appointment did not arise at all. Thus on both the grounds the termination of the concerned workman cannot be held to be unjustified or illegal. In the circumstances he is not entitled to any relief.

8. It may also be mentioned that though the retrenchment took place in 1975 but the present dispute was raised for the first time in 1981 after lapse of several years and it is a stale claim. No reason has been assigned by the workman as to why he did not raise the dispute earlier. On this ground also the workman is not entitled to any relief.

9. It may, however, be stated that the management has filed a copy of a Circular dated 17-5-84 issued by the Bank which shows that all temporary employees who had worked at least for a period of 90 days in 12 calendar months in the Bank may register themselves for absorption in the Bank and a panel will be drawn up accordingly and vacancies will be filled up from that panel as and when vacancy will arise and on the basis of this a notice was issued by the Bank. There is no evidence that on the basis of this circular the workman concerned got his name registered in the Bank. He may, however, do so even now and the Bank will consider his case for re-employment as and when occasion arise.

10. The award is passed accordingly.

J. N. SINGH, Presiding Officer
[No. L-12012(176)/83-D.II(A)]

N. K. VERMA, Desk Officer

S.O. 3117.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Chandigarh, in the industrial dispute between the employers in relation to the State Bank of India,

New Delhi, and their workmen, which was received by the Central Government on the 4th September, 1984.

BEFORE SHRI J. P. VASISHTH, PRESIDING OFFICER,
CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL,

CHANDIGARH

Case No. I.D. 98/77 (New Delhi), 84 of 1983 (Chd.)

PARTIES :

Employers in relation to the Management of State Bank of India.

AND

Their Workmen—Shri Dharam Singh and others.

APPEARANCES :

For the Employers—Shri V. K. Gupta.

For the Workmen—Shri J. G. Verma.

AWARD

The Central Government, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947, hereinafter referred to as the Act, per their Order No. L. 12011/16/75/DII/A dated the 29th of August, 1975 read with S.O. No. S-11025(2)/83 dated the 8th of June, 1983 referred the following Industrial dispute to this Tribunal for adjudication :—

"Whether the action of the Management of the State Bank of India, New Delhi, in designating Sarvashri Dharam Singh, Tarsem Lal and Resham Singh as part-time messengers at the Jullundur sub-offices of the said Bank is proper and justified? If not, to what relief are the said workmen entitled?"

2. Brief facts of the case, according to the petitioner workmen, are that they were given regular appointments against permanent posts at Khajuria, Basti Sheikh and Phooliwa'a Pay Offices of the Respondent Bank as Messenger w. e. f. 30-12-1971, 9-11-1970 and 21-7-1971 respectively. It was averred that they used to work in their respective seats from 10:00 A.M. to 5:00 P.M. and were obliged to open, close and clean the Offices, bring and take the Daak from and to the parent Branches, and attend to such other sundry duties which are generally assigned to an employee of their Category. It was complained that the petitioners were paid only 50% of their wages even though, both under the Bipartite Settlement as well as Sastri and Desai Awards they were entitled to full time-scale.

3. It was further pleaded that as and when the workmen protested the Management retaliated by asking them to refrain from marking their attendance in the Relevant register. They, therefore, raised a demand for the grant of full scale wages through their Union. But, the matter could not be amicably settled despite the intervention of the A.L.C.(C) because according to the Management the petitioners were employer as part-time messengers, they used to work for less than 19 hours per week and, as such, were rightly paid half of the regular wages. It was also denied that the Management had ever called or placed them on duty on any Holiday.

4. Against the aforesaid back drop the Appropriate Government deemed it prudent to seek judicial adjudication under Section 10 of the Act, and since the pleadings of the parties were found to be fully covered under the terms of reference, therefore, under his orders dated 15-11-1977 my predecessor called upon them to adduce evidence in support of their respective versions.

5. Accordingly the petitioners examined themselves whereas the Management felt contended with the deposition of one of their Managerial staff member Shri A. C. Dhawan. Of course both the parties filed a number of documents also.

6. On a careful scrutiny of the entire available data and hearing the parties I am inclined to sustain the petitioner's

cause in its pith and substance because their sworn depositions stand almost unrebutted that at their respective Branches, the Management did not have any other employee of their category and that all the menial jobs, including those connected with the subordinate staff pertaining to Class IV, used to be attended by them. Significantly enough the Management's sole witness Shri A. C. Dhawan conceded in his cross-examination that there was no other messenger than the petitioners, at their respective branches.

7. In the same sequence a reference may also be made with pertinence to the correspondence between the Branch Manager and the Regional Officer per photostat and Certified copies Ex. W1, W2 and Ex. M5 to M10 which leave the no manner of doubt that despite their appointment as temporary messengers on half wages, the petitioners had been subjected to extra work running into the vicinity of 29 hours per week so as to be entitled to 75, if not 100, of the full scale wages. And perhaps it was for this precise reason, that the Management not only called for an explanation of the Branch Manager, rather also showed its obvious disconfiture in directing him to refrain from such practice in future. All the same, the fact remains that the petitioners had worked for the benefit of the Employer and under the instructions of its authorised representative i.e. the Officer Incharge. Admittedly, they were ultimately absorbed in the regular cadre.

8. Of course it was within the ambit of the Management to hire part time employees on reduced wages but in view of the fact that the petitioners were being made to work over time, as indicated in the preceding para, I hold that they were entitled to draw 75 per cent of the full scale wages.

9. Accordingly, on partially sustaining the claim of the petitioner/Workmen, I direct the Management to pay them their balance wages for the period till they were absorbed in the regular cadre carrying full time wages.

10. Award returned accordingly.

Chandigarh,
31-8-1984.

I. P. VASISHTH, Presiding Officer
[No. L-12011(16)/75-D.IIA(Pt.)]

New Delhi, the 15th September, 1984

S.O. 3118.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the Bank of India, Patna, and their workmen, which was received by the Central Government on the 12th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 43 of 1983

In the matter of Industrial Disputes under S. 10(1)(d) of
the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Bank of India and their workmen.

APPEARANCES :

On behalf of the Employers : Shri Jai Krishna, Advocate.

On behalf of the Workmen : Shri B. Lal, Advocate.

STATE Bihar.

INDUSTRY : Banking.

Dhanbad, the 31st August, 1984

AWARD

The Government of India in the Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication under Order No. L-12012/168/82-D. II(A) dated the 13th May, 1983.

805 GI/84—6

SCHEDULE

"Considering the circumstances in which Shri Raj Kumar Thapa, Peon could not attend his duty from 15-11-77 to 4-1-78. Whether the action of the management of Bank of India, Patna is justified in treating him having abandoned his job voluntarily ? If not, to what relief is the workman concerned entitled ?"

The case of the concerned workman Shri Raj Kumar Thapa is that he was appointed as a Peon in the Bank of India in 1972. He had worked as a Peon at different branches of Bank of India, namely Muzaffarpur, Dholi Sakra and Patna Regional Office continuously for 5 years as a permanent employee. He had gone on sanctioned leave from 11-11-77 to 15-11-77 to Barauni where his wife is residing with his father who is working as a Guard of Bank of India at Barauni. At Barauni the concerned workman found his wife mentally deranged when he had gone on leave. On seeing the condition of his wife he was himself upset and fell ill and as such he could not attend to his duty after expiry of his sanctioned leave. The concerned workman received letter of the management dated 19-11-77 on 28-12-77 asking him to report for duty by 3rd January, 1978. As the wife of the concerned workman had not recovered from her insanity, he applied for extension of leave till 4-1-78 vide his application dated 29-12-77 addressed to Regional Manager, Bank of India, Patna Branch. The concerned workman reported for duty on 5-1-78 along with Medical certificate but was not allowed to resume his duties and was informed that his services had been terminated. The concerned workman requested the management for allowing him to resume his duties considering illness of Shri Thapa and the insanity of his wife. The management did not concede to his request and he was not taken back to his job. The concerned workman addressed a letter dated 13-3-78 to the Regional Manager, Bank of India, Patna to consider his case and to allow him an opportunity to serve the institution. The concerned workman did not receive any reply from the management and as such he sent reminders vide letters dated 11/12-4-78 and 22-6-78 to consider his case and to allow him to resume his duties but no reply was given by the management. Thereafter, the concerned workman requested Shri T. N. Dubey the then General Secretary, Bank of India Staff Association (Bihar State) to look after his case so that he may get back his job. As the matter was not being settled the concerned workman was in great financial difficulties and as such he was forced to apply for withdrawal of his Provident Fund amount for his maintenance. As the matter was not settled an industrial dispute was raised on behalf of the concerned workman by Shri T. N. Dubey in 1981. Subsequently the concerned workman was informed that Shri T. N. Dubey was not allowed to conduct his case on his behalf before the Conciliation Officer as Shri T. N. Dubey was no more the General Secretary of the Staff Association. Thereafter the concerned workman raised the present industrial dispute under section 2A of the I. D. Act, by giving a demand notice to the management on 20-2-82. The dispute could not be settled in the conciliation proceeding and as such the Conciliation Officer submitted his failure report to the Government of India and the present reference was sent to this Tribunal for decision. The concerned workman had absented due to illness which was beyond his control and the absence was not voluntary. The concerned workman had not abandoned his services and he was all along requesting the management to allow him to resume his duties. The period of absence of the concerned workman cannot be considered as a period of long absence giving an inference that he had abandoned his services. The action of the management for terminating the services of the concerned workman tantamounts to retrenchment of his services which is illegal and unjustified being in violation of the provisions of Section 25F of the I. D. Act in as much as no notice or notice pay and compensation was ever offered or given to him. The action of the management in treating the concerned workman as having abandoned his job voluntarily is justified and illegal. On the above facts it is requested to give an Award that the action of the management in treating the concerned workman requested that he should be reinstated in service with retrospective effect with all back wages and benefits.

The case of the management is that the concerned workman joined his service on 18-9-73 as Peon in Bank of India. The concerned workman remained absent unauthorisedly without any information to the management from 16-11-77.

He had not gone on sanctioned leave from 11-11-77 to 15-11-77 and on the contrary he had applied for leave by his application dated 15-11-77 requesting for leave from 11-11-77 to 15-11-77. He was given notice on 19-12-77 asking him to report for duty by 3rd January, 1978 and to submit his explanation of his absence without leave failing which it was to be deemed that he had voluntarily left bank's service. The concerned workman rather reported for duty by 4-1-78 nor sent any reply regarding his unauthorised absence. As such the Bank treated him to have left his employment voluntarily without notice and he ceased to be in the service of the Bank w.e.f. 4-1-78. The concerned workman applied for the payment of his Provident Fund and authorised the Bank to adjust any liability due to the Bank by him from the amount payable to him and accordingly the concerned workman was paid his dues. The Bank was perfectly justified in treating the concerned workman as having abandoned his job voluntarily on account of unauthorised absence from duty from 16-11-77 to 4-1-78. In the past also the concerned workman had remained absent unauthorisedly on several occasions for which he was reprimanded orally and in writing and his date of annual increment was permanently deferred on various occasions.

Section 2A of the I. D. Act covers termination of any workman by the employer but it does not cover cases relating to the voluntarily abandonment of services by the workman himself and as such the matter cannot be termed to be an industrial dispute within the meaning of Section 2A of the I.D. Act. It is submitted that the reference is bad. The concerned workman challenged the letter of the management dated 4-1-78 vide his letter dated 20-2-1982. The dispute was raised by him after a lapse of more than 4 years after full and final settlement of his dues. A workman has been given right to leave services of the Bank by giving one months notice and if he leaves employment without notice he is liable to pay to the Bank one months pay and allowances. The concerned workman in the present case, left the services of the Bank without any notice and as such the Bank was entitled to forfeit one months pay and allowance for leaving services of the Bank without notice but taking a lenient view the Bank did not deduct the amount from other dues which were paid to him. The action of the management is perfectly justified and the concerned workman is not entitled to get any relief as his past record of service also was not very clean.

On consideration of the schedule to the reference it will appear that the Tribunal has been asked to consider whether the action of the management is justified in treating the concerned workman having abandoned his job voluntarily considering the circumstances in which the concerned workman could not attend his duties from 15-11-77 to 4-1-78. Thus the foremost point to be decided in this reference is whether the concerned workman had abandoned his job voluntarily.

It will appear from Ext. M-13 that the concerned workman Shri Raj Kumar Thappa had applied for leave on 15-11-77 in respect of his absence from 11-11-77 to 15-11-77 and this application for leave was granted by the Manager. Admittedly, the concerned workman did not apply for extension of leave before the expiry of leave prayed by him in his petition dated 15-11-77. WW-1 has stated that he had gone on leave for three days in the month of November, 1977 but he could not attend office after the expiry of the said leave as his wife had gone insane. He has stated that he had sent the application for leave but order granting of leave was not sent to him. He has further stated that he received a letter from the Bank that if he did not join by 3-1-78 it will be deemed that he had left the services voluntarily. He did not attend office on 3-1-78 but reported for duty on 5-1-78 and submitted Medical certificate in respect of his illness and the illness of his wife but he was not allowed to join the services and was told that he was no longer in service. He has stated that he filed a representation before the Bank on 13-8-78 which is Ext. W-3 in this case. He has denied that he had voluntarily left the services. Ext. W-4 is the certificate granted on 14-2-78 by Dr. S. A. Hasib, who is admittedly a renowned Psychiatrist. The said certificate shows that the wife of the concerned workman was under the treatment of the said Doctor since 20-12-77 for mental trouble. Ext. W-5 is another prescription dated 5th January 1978 which shows that the concerned workman himself was suffering from fever and was under his treatment had produced these medical certificates before the manager-

from 14-1-77 to 5-1-78 WW-1 has stated that he had produced these medical certificates before the management when he had gone to join on 5-1-78 but he was not allowed to join. These two medical certificates show that the concerned workman and his wife were unwell during the period of the absence of the concerned workman. The management, of course, had not considered these certificates to show the genuineness of the absence of the concerned workman as the management had already treated his absence as voluntary abandonment of his services.

The question is whether the concerned workman had voluntarily abandoned his services. Their Lordships of the Supreme Court in 1979(1) LLJ P-257 has stated the true meaning of the expression "Abandonment of service". Their Lordships held that in the absence of the statutory definition of "Abandonment of service" one has to depend on the dictionary meaning and from it clearly follows that to constitute abandonment there must be total or complete giving up of duties so as to indicate the intention not to resume the same. The abandonment of service is always a question of intention, and normally, such an intention cannot be attributed to an employee without adequate evidence on that behalf. Thus, whether there has been a voluntary abandonment of service or not is a question of fact which has to be determined in the light of the surrounding circumstances of each case. The management has to show by cogent evidence indicating the matters on the basis of which the intention of the concerned workman to voluntarily abandon his services can be gathered. In the present case it appears that the management has based the intention of voluntary abandonment on the ground that the concerned workman absented without leave from 16-11-77 for over a month without any intimation. It is also stated on behalf of the management that the same can be gathered as the concerned workman got his account cleared and withdrew his dues from the Bank after receipt of the letter by which his services were treated as voluntary abandonment of service. Temporary absence is not ordinarily sufficient to constitute "Abandonment of services" and it cannot be gathered from merely a temporary absence that the concerned workman had voluntarily abandoned his services. In my opinion, the management has to show further acts and conduct of the concerned workman so as to come to a definite findings of his intention of voluntary abandonment. So far the fact that the concerned workman had taken back his dues from the Bank is concerned, the same was an act which was subsequent to the order of the management treating his absence as voluntary abandonment. The said fact could not have been taken into consideration when the management issued the letter Ext. W-2 dated 4-1-78 treating his absence as voluntary abandonment of service. Thus, neither of the two grounds stated by the management, the intention of the concerned workman that he had voluntary abandonment of his services are sufficient ground to constitute voluntary abandonment of service by the concerned workman. It has been submitted on behalf of the management that the concerned workman had irregular attendance in the past as well and that also was considered in gathering the intention of the concerned workman that he had voluntarily abandoned his services. There are several Exts. which have been filed by the management, which I do not specifically intend to refer in order to show that in the past also the concerned workman had absented without prior sanction of leave for which he had been warned and his increments were deferred. The fact that the concerned workman had in the past joined the services after the leave shows that the concerned workman had not ever abandoned his job but was lethargic or was indisciplined in proceeding of leave without prior permission. In my opinion the unauthorised absence of the concerned workman in the past cannot give a reason to the management to gather any intention that the concerned workman had finally absented without extension of leave from 16-11-77 with an intention to voluntarily abandoned his services.

The case of the concerned workman is that he had applied for extension of leave on 29-12-77 Ext. M-24 is a true copy of his leave till 4-1-78 on the ground of insanity of his wife. 29-12-77 from Barauji Thermal Power which shows that he had received the management's letter dated 19-12-77 on 28-12-77 and thereafter he sent this application for extension of his leave till 4-1-78 on the ground of insanity of his wife. WW-1 has stated about this letter in his examination in chief that when he did not attend the Office after the expiry of the leave he had sent an application for leave. MW-1 has, no doubt, stated that the concerned workman had not sent any letter dated 29-12-77. Ext. M-31 dated 28-1-78 is a letter from the General Secretary of the Union to the ALC(C)

Patna which shows that the concerned workman had requested for extension of leave up to 4th of January, 1978. MW-2 who is Deputy Chief Officer, Industrial Relations, Bank of India Zonal Office, Patna had attended the conciliation proceeding before the ALC(C), Patna where Ext. M-31 had been sent. MW-2 has stated that the cause of the concerned workman was spoused by Shri T. N. Dubey, General Secretary of the Bank of India Staff Association but he has not stated that the statement of the General Secretary of the Union in Ext. M-31 that the concerned workman had requested for extension of leave upto 4-1-78 was false. It appears that the concerned workman after receiving the letter of the management dated 19-12-77 (Ext. M-11) must have come to his senses that if he does not pray for extension of leave his services might be terminated and as such he may have filed a petition for extension of his leave on 29-12-77. Thus, it cannot be said that the concerned workman had voluntarily abandoned his services. The concerned workman has produced the Medical certificate Ext. W-4 and Ext. W-5 indicating the reason of his absence. MW-1 who is an Industrial Relations Officer of the management has stated that the order contained in Ext. M-10 (letter by which the management treated the absence of the concerned workman as voluntary abandonment of service) was not a punishment and that an irregular absence of the concerned workman was treated as abandonment of service by him. He has also stated that the absence of the concerned workman in respect of letter Ext. M-16 (letter dated 14-9-77 by which the unauthorised absence of the concerned workman from 1-8-77 to 13-8-77 was treated as absence without pay and allowance) was also considered in passing the Order of cessation of services. It will thus appear from the evidence of the management that the management was gathering the intention of abandonment of services by the concerned workman on the basis of his past unauthorised absence which I think could not be a factor in arriving at a conclusion about the intention of abandonment of services by the concerned workman. Moreover, the present schedule of the reference is confined to the consideration of the circumstances in which the concerned workman could not attend his duties from 15-11-77 to 4-1-78 leading the action of the management in treating the concerned workman as having abandoned his job voluntarily. The past conduct of unauthorised absence of the concerned workman is not the matter for consideration in the present reference and could not be taken as indicating the intention of the concerned workman to voluntarily abandon his services.

Thus on the facts and evidence on the record I do not think that there was sufficient material before the management to gather the intention of the concerned workman that the concerned workman had voluntarily abandoned his services. I, therefore, hold that the action of the management in treating the concerned workman as having abandoned his job voluntarily does not appear to be justified.

It has been submitted on behalf of the concerned workman that the concerned workman had not voluntarily abandoned his services and as such the termination of the services by the management was a retrenchment of his services. Section 2(oo) I.D. Act. defines retrenchment and means the termination by the employer of the services of a workman for any reason whatsoever otherwise than as a punishment inflicted by way of disciplinary action and it further states the conditions in which it will not be retrenchment. I have held above that the concerned workman had not voluntarily abandoned his services and as such it appears that his case is a case of retrenchment. Section 25(F) provides that no workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until (a) a workman has been given one month's notice in writing indicating the reason for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of notice (b) the workman has been paid at the time of retrenchment compensation which shall be equivalent to 15 days average pay for every completed year of continuous service and (c) Notices in the pre-scribed manner is served on the appropriate Government or such authority as may be specified by the appropriate Government. Admittedly, the concerned workman has not been given any notice in writing indicating the reasons for retrenchment nor he

has been paid in lieu of notice nor has been paid retrenchment compensation. MW-1 has clearly stated at P-2 of his cross-examination that no notice of retrenchment or compensation was paid to the concerned workman. Section 25(B) of the I.D. Act, 1947 defines 'continuous service'. It provides that a workman shall be said to be in 'continuous service' for a period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike, which is not illegal, or a lockout or a cessation of work which is not due to any fault on the part of the workman. According to the workman he was in service of the Bank since 1972 while according to the management he was in service of the Bank since 18-9-73. Thus it will appear that the concerned workman was in service of the Bank for about four years and he was in continuous service as his services was uninterrupted during that period. There is no evidence led on behalf of the management that his services was interrupted after he had joined the Bank. It appears from the evidence of the management itself that the management had allowed leave to the concerned workman even though he had proceeded on leave unauthorisedly. It is thus clear that the concerned workman was in continuous service and as such he could not be retrenched by the management without complying with the provisions of the Section 25(F) of the I.D. Act. This having not complied with, the services of the concerned workman could not be terminated.

The objection of the management that Section 2A of the I.D. Act, will not apply as it does not cover the case relating to the case of voluntary abandonment of services by the workman himself cannot be sustained in view of the fact that the concerned workman had not voluntarily abandoned his services and that the termination of his services was illegal in as much as the provisions of Section 25(F) of the I.D. Act has not been complied with.

As admitted by MW-1 it will appear that no domestic enquiry was held in respect of the allegations made in Ext. M-16. There is mention of this Ext. M-16 in Ext. M-10 by which the services of the concerned workman were treated as voluntary abandonment. From the evidence it will no doubt appear that in the past the concerned workman had absented unauthorisedly several times and he could be punished for misconduct on this account after a proper domestic enquiry. The misconduct of the concerned workman could not be taken as the ground for treating that the concerned workman had voluntarily abandoned his services when he prolonged on leave unauthorisedly. The concerned workman could have been punished for his irregular absence in the past and the management could have been justified in proceeding in an enquiry for that purpose but in no case the act of his irregular absence could be taken as the ground to gather the intention that the concerned workman had voluntarily abandoned his services especially when the concerned worker had filed a petition for extension of his leave.

The learned Advocate for the management has referred to a decision reported in 1967-2-LIJ-883 and 1978-IIC-1581. It has been contended on the basis of 1967-2-LIJ-883 that the concerned workmen by his own conduct had voluntarily abandoned his services and as such the management was justified in treating automatic termination of the services when no application was filed for extension of his leave after the expiry of the earlier leave. In the said case there was a Standing Order by which it was provided that a workman will lose his lien on his appointment in case he does not join his duties within 8 days of the expiry of his leave and on its basis it obviously means that the services of the said workman was automatically terminated on the happening of the contingency. In the present case admittedly there is no standing orders providing that a workman will lose his lien on his appointment in case he does not join his duties within a specified day after expiry of his earlier leave and as such in our case the absence of the concerned workman without extension of leave cannot be treated as an automatic termination. In 1968 IIC case referred to above it will also appear that there was a standing order of the Company. Thus the two cases cited above on behalf of the management do not help him in the present case to justify the management to that the absence of the concerned

workman as automatic termination of his service when no application was filed for the extension of the leave. It was also submitted on behalf of the concerned workman that as the concerned workman had withdrawn all his dues, he was estopped from raising the industrial dispute. As pointed out by the Supreme Court in 1964-1-LIJ P-353 technical plea of estoppel is out of place in an industrial dispute. The principles of estoppel will not apply against the concerned workman merely because he had withdrawn his Provident Fund money from the employees.

I have held above that the concerned workman had not voluntarily abandoned his services. I have also held that as the concerned workman had not voluntarily abandoned his services, the termination of his services by the management can be done only under section 25F of the I.D. Act., 1947 and that the order of the termination of the services of the concerned workman cannot be upheld in the absence of the compliance of the provisions of Section 25F of the I.D. Act. In view of the above it follows that the order of termination of the services of the concerned workman has to be set aside and as a matter of course he has to be reinstated in his services and ordinarily award of full back wages must follow. In the present case the management has taken from the concerned workman in his cross-examination that he helps his cousin in the Tea Shop at Patna and thus he and his family are maintained out of the said employment. The management has no doubt taken from the concerned workman that he was helping his brother in the Tea Shop by which he was maintaining himself and his family but this plea was not specifically raised in the W. S. of the management. In order to succeed on the point that the concerned workman was usefully employed after his removal from service, the plea has to be specifically taken in the W. S. and established by cogent evidence. The said employment of the concerned workman in the Tea Shop of his brother was only in the shape or help of his cousin whereby he could anyhow maintain and it cannot be said that the concerned workman had obtained any better employment. It was quite natural for the concerned workman to do something for his existence and I do not think that the concerned workman should be deprived of the back wages which he is entitled in view of the fact that the order of the management terminating the services on the ground of voluntary abandonment of services could not be sustained. In the above view of the matter I am inclined to hold that the concerned workman is entitled to his full back wages on being reinstated in his job.

In view of the facts, evidence and circumstances of the case discussed above, I hold that the action of the management of the Bank of India, Patna is not justified in treating the concerned workman as having abandoned his job voluntarily considering the circumstances in which he could not attend his duties from 15-1-77 to 4-1-78. I further hold that the concerned workman should be reinstated in his job with all back wages and other benefits accruing to him.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-12012(168)/82-D. II. A]
N. K. VERMA, Desk Officer.

नई दिल्ली, 6 सितम्बर, 1984

का० आ० 3119.—निष्क्रान्त सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा, तत्काल प्रभाव से, भूमि तथा भूमि सुधार विभाग की भू राजस्व शाखा, पश्चिमी बंगाल में उपसचिव को, उनके उपसचिव के रूप में उनके कार्यभार के अतिरिक्त उक्त अधिनियम के अधीन अथवा उसके द्वारा सहायक महाभिरक्षक

को सौंपे गए कार्यों के निपादन के प्रयत्न हेतु पश्चिमी बंगाल के लिए सहायक महाभिरक्षक, निष्क्रान्त सम्पत्ति नियुक्त करती है।

[संख्या 1/(14) वि० संल०/84-एस. एस. II(क)]

डॉ. डॉ. हगटी, अवार सचिव

New Delhi, the 6th September, 1984

S.O. 3119.—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (No. 31 of 1950), the Central Government hereby appoints, with immediate effect, Deputy Secretary in the Land Revenue Branch of Land and Land Reforms Department, Government of West Bengal, as Assistant Custodian General of Evacuee Property for the State of West Bengal, in addition to his own duties as Deputy Secretary, for the purpose of discharging the duties imposed on such Assistant Custodian General by or under the said Act.

[No. 1(14)/Spl. Cell/84-SS. II(A)]
D. D. INGY, Under Secy.

का० आ० 3120.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के खण्ड (क) के अनुसरण में श्री बी. जी. देशमुख, सचिव, भारत सरकार, श्रम एवं पुनर्वास मंत्रालय, को श्री आर. के. प. सुब्रह्मण्य के स्थान पर कर्मचारी राज्य बीमा निगम की स्थायी समिति के अध्यक्ष के रूप में नामनिर्दिष्ट किया है;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संघर्ष का. आ. 1820(अ), दिनांक 22 मार्च, 1983 में निम्नलिखित संशोधन करती है, अर्थात् —

उक्त अधिसूचना में, “केन्द्रीय सरकार द्वारा धारा 8 के खण्ड (क) के अधीन नामनिर्दिष्ट” शीर्षक के नीचे मद 1 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएंगी, अर्थात् —

“श्री बी. जी. देशमुख,
सचिव, भारत सरकार,
श्रम एवं पुनर्वास मंत्रालय,
नई दिल्ली”

[संख्या यू-16012/7/84-एच.आई]

New Delhi, the 10th September, 1984

S.O. 3120.—Whereas the Central Government has in pursuance of clause (a) of section 8 of the Employees' State Insurance Act 1948 (34 of 1948) nominated Shri B. G. Deshmukh, Secretary to the Government of India Ministry of Labour and Rehabilitation as Chairman of Standing Committee of the Employees' State Insurance Corporation, in place of Shri R. K. A. Subrahmanyam;

Now, therefore, in pursuance of section 8 of the Employees' State Insurance Act 1948 (34 of 1948) the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour

and Rehabilitation S.O. No. 1820(E), dated the 22nd March, 1983 namely :

In the said notification, under the heading “(Nominated by the Central Government under clause (a) of section 8)”, for the entry against Serial Number 1, the following entry shall be substituted, namely :

“Shri B. G. Deshmukh,
Secretary to the Government of India,
Ministry of Labour and Rehabilitation,
New Delhi.”

[No. U-16012/7/84-HI]

नई दिल्ली, 12 सितम्बर, 1984

का. आ. 3121.—मैसर्से जयपुर गोल्डन ट्रांसपोर्ट कम्पनी, 5586, लाहोरी गेट, नई दिल्ली-110006, (शि. न./783) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक अभिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निशेह सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उत्तरवद् अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त रथापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त रथापन के संबंध में नियोजक प्रावेशिक भविष्य निधि आयुक्त दिल्ली को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा (3क) के खंड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत, लेखाओं का रखा जाना विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन का प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुद्र्य बातों का अनुवाद, स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदर्तत करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होने हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेश रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेश होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/माम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, दिल्ली के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की सम्भावना हो, वहां प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाने हैं, तो यह रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियन्त्रित नारीख के भीतर, जो भारतीय जीवन बीमा निगम नियन्त्रित करे, प्रीमियम का संदाय करने में असफल रहता है और पालिसी को व्यपगत हो जाने दिया जाता है तो, छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते, बीमा फायदों के संदाय का उत्तराधिकार नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा।

[सं. एस.-35014/75/84-एफ. पी. जी.]

New Delhi, the 12th September, 1984

S.O. 3121.—Whereas M/s. Jaipur Golden Transport Company (Regd.), 5586, Lahori Gate Delhi-110006 (DL/783) (hereinafter referred to as the said establishment) have applied for exemption under Sub-Section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by Sub-Section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said scheme for a period of three years.

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Delhi maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges, etc. shall be borne by the employer.

4. The employer shall display, on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and as and when amended alongwith a translation of salient features thereof in the language of the majority of the employees.

5. The employer shall arrange in respect of an employee who leaves the establishment and joins another establishment covered under the said Act, to transfer to the Insurance Fund in respect of the other establishment, the proportionate premium to the credit of the outgoing employees.

6. Where an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act is employed in

his establishment the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

7. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

8. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable, had the employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

9. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner, shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

10. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this scheme are reduced in any manner, the exemption shall be deemed to have been cancelled with effect from the date and the establishment shall be treated as covered under the said Scheme.

11. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled and the employer proceeded against.

12. In the case of default, if any, made by employer in payment of premium etc., the responsibility for payment of assurance benefits to the nominee/legal heirs of deceased members who are covered under the scheme will be that of the employer.

13. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heir entitled for it and in case within 7 days of the receipt of the sum assured from Life Insurance Corporation of India.

[No. S-35014/75/84-FPG]

का० आ० 3122.—मैसर्स एन० एण्ड टी० म० स० लिमिटेड, माऊल्ट पूनामल्ली रोड, पोस्ट बैग नं. 977, मद्रास-600089. (ट० न० /9710) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) उप धारा 17 की उपधारा (2 ख) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के स्थायी कर्मचारी, किसी पृथक अभिन्न या प्रीमियम का संदाय किए बिना ही भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निषेप सहबद बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपाधार अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन के स्थायी कर्मचारियों को तीन वर्ष की अवधि के लिए, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य निधि आयुक्त तमिल नाडू को ऐसी विवरणियाँ भेजेगा और ऐसे लेखा तथा निरीक्षण के लिए ऐसी मुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, सभ्य समय पर निर्दिष्ट करे।

2. नियोजक ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खंड (क) के अधीन समान-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रभारों, संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुमत्या की भाषा में उसकी मुद्द्य बातों का अनुवाद स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही मदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाने हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होने हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन मंदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संवेद्य होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्ध में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त तमिल नाडू के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ कि संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की सम्भावना हो, वहाँ प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्ति-युक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो वह रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उम नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यवधान हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दणा में, उन मृत सदस्यों के नाम निर्देशितीयों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक, इस स्कीम के अधीन आने वाले किसी मदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितीयों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा।

[सं. एस-35014/87/84-एस० एस०-4)]

S.O. 3122.—Whereas Messrs L and T Mc Neil Limited Mountponamaller Road, Post Bag No. 977, Madras-600089 (Tamil Nadu-19710) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2B) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said act) :

And whereas, the Central Government is satisfied that the regular employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme) ;

Now, therefore, in exercise of the powers conferred by sub-section (2B) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed here-to, the Central Government hereby exempts the regular employees of the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner Tamil Nadu and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section ('3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner. Tamil Nadu and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominee or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominee/Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects."

का० आ० 3123.—मैसर्स तमिल नाडू ट्रॉजिम डिवलपमेंट कारपोरेशन लिमिटेड, शिवालय विल्डीगंज, 16 कंमाडर-इन चीफ रोड, रामगंगन मद्रास -600105 (टी. न. 7980) और इसकी 21 शाखाएँ।

(जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है,

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, किसी पृथक् प्रभिदाय या प्रीमियम का मंदाय किए बिना हो, भारतीय जीवन बीमा नियम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त ग्रन्तियों का प्रयोग करते हुए और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन और उसकी 21 शाखाओं जिनकी लिस्ट संलग्न है को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबंधों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भविष्य आयुक्त तमिल नाडू को ऐसी विवरणियाँ भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी मुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के ब्रंड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अंतर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें मंषोधन किया जाए, तब उस मंषोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सचिवालय पर्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का उपयोग ही सदस्य है, उसके स्थापन में

नियोजित किया जाता है तो, नियोजक, सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदत्त करेगा।

9. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध कायदे वाले जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध कायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध कायदे उन कायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होने हए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेश रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेश द्वारा जब यह उक्त स्कीम के अधीन होता तो नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबंधों में कोई भी संशोधन, प्रादेशिक भविष्य निधि अनुकूल, तामिल नाडु के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की सम्भावना हो, वहाँ प्रादेशिक भविष्य निधि अनुकूल, अपना अनुमोदन देने से पूर्व कर्मचारियों का अपना दृष्टिकोण स्पष्ट करने का युवितयुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले कायदे किसी रीति से कम हो जाते हैं, तो वह रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर, जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को अवधारणा हो जाने दिया जाता है तो, इट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में कोई गए किसी व्यक्तिक्रम की दशा में, उन मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते, बीमा कायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाद्वारा रकम

का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाद्वारा रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा।

[सं. एस- 35014/86/84 -एस. एस-IV]

ए. के. भट्टाराई, अध्यक्ष सचिव

S.O. 3123.—Whereas Messrs Tamil Nadu Tourism Development Corporation Limited, Shivalaya Building, 16, Commander-in-Chief Road, Egmore, Tamil Nadu-600015 including its branches (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of Section 17 of the said Act and subject to the conditions specified in the SCHEDULE annexed hereto, the Central Government hereby exempts the said establishment and its units as per list from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Tamil Nadu and maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium, the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme, the Life Insurance Corporation of India shall ensure prompt payment of the sum assured to the nominees/legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respect."

[No. S-35014/86/84-SS-IV]
A. K. BHATTARAI, Under Secy.

New Delhi, the 11th September, 1984

S.O. 3124.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Post Master General, T. T. Nagar, Bhopal (M.P.) and their workmen, which was received by the Central Government on the 30th August, 1984.

BEFORE JUSTICE SHRI K. K. DUBE (RETD.), PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(31) of 1983

PARTIES :

Employers in relation to the Management of Post Master General, T. T. Nagar, Bhopal (M.P.);

AND

Their workman Shri B. S. Kulkarni.

APPEARANCES :
Nemo.

INDUSTRY : Post and Telegraphs DISTRICT : Bhopal
(Madhya Pradesh)

Dated, the 23rd August, 1984

AWARD

The Central Government in exercise of its powers under section 10 of the Industrial Disputes Act vide its Notification No. L-40012(6)/82-D.II (B) dated the 28th June, 1983 referred the following question for adjudication :—

"Whether the action of the Post Master General, M.P. Circle, Bhopal to have changed the position of the workman Shri B. S. Kulkarni, Accountant in his gradation list of 1977, thus making him junior to about 1000 workers, is justified? If not, to what relief the workman is entitled?"

2. On 29-11-1957 Shri B. S. Kulkarni was appointed as a Clerk in the Postal Department. He was in Bilaspur Division in Central Circle (M.P.). He was confirmed in the Bilaspur Division as a Reserve Clerk vide Superintendent, Post Offices, Bilaspur Memo. No. B2-34/619, dated 7-7-1961. He was now shown in the gradation list showing his seniority in Central Circle as also in Divisional list showing seniority. It appears there is a gradation list showing seniority division-wise and a gradation list showing seniority Circle-wise. By an order dated 16-7-1962, Kulkarni was transferred to Akola Division under the same Circle. He was relieved from Bilaspur on 28-7-1962. As soon as he was transferred to the new Division, he lost his seniority in the Bilaspur Division. However, he continued to retain his seniority and position in the circle list. This seems to be the effect of sub-rule (3) of rule 38 of the Post and Telegraph Manual, Volume IV.

3. In the year 1965, the Central Circle was bifurcated and the territories falling under Vidarbha, West Berar were included in Maharashtra Circle. There was no difficulty as regards the persons choosing to stay in Vidarbha. Such persons retained their divisional seniority and since the division was now ceded into the Maharashtra Circle their seniority on the circle basis was also not disturbed. There were many persons who would not like to be merged into the Maharashtra division and desired to continue under their old circle. The Department, threw an offer to the intending persons wanting to opt for the new M.P. circle to make such options before 30-6-1965. Kulkarni chose to opt for the new Circle and had made the necessary option before the last date fixed for the purpose. He was already under Central Circle till 30-6-1965 and on bifurcation, he chose to continue in the same circle. Kulkarni's option was accepted and he was transferred to Bhopal Division in March, 1966. The bifurcation brought Kulkarni into Maharashtra circle involuntarily. It was treated as a transfer from circle to circle. While being transferred thus, he again lost his divisional seniority. The question is whether he would also lose his circle seniority.

4. The department, to start with, took a view that Kulkarni continued in the same Central circle and he could not have lost his circle seniority. When he came to Bhopal by an order dated 12-1-71, he was made permanent. This order was wholly unnecessary as he was already confirmed in the Central circle and he could not be confirmed again for the second time. His position in the gradation list was maintained and in the gradation list he was not shown to be a new recruit. However, a fresh gradation list was prepared in 1977 and the seniority acquired after the earlier confirmation was not considered or treated as having lapsed and he was shown to have confirmed on 15-4-1970 with the result that he became junior to nearly 1000 persons. Kulkarni thereafter made several representations against this position but to no effect. This is how the dispute has therefore come before this Tribunal.

5. The only question that requires consideration is whether on bifurcation of Central circle the employees serving in Vidarbha would at all lose seniority already acquired when they opted to come to Bhopal? It is undisputed that till 30-6-1965, Akola was in Central circle and Kulkarni was serving in the Central circle. Even before this date in contemplation of the bifurcation he was given the option whether to go to Maharashtra along with Akola division or to come back to Central circle by leaving Akola and joining some other place in the circle. If no option has been given and Kulkarni wanted to come to the Central circle probably there was something in the contention that he would lose his circle seniority as it was a transfer from Maharashtra circle to the Central circle. The effect of the option would be that he would be deemed to have been continued in the Central circle otherwise the option would have no meaning. It is unthinkable that a person who had acquired seniority would like to lose it merely for the fun of going to the circle of his choice. When the option was given it necessarily meant that he would not be at any disadvantage as far as his inter-circle seniority was concerned in the new set up of the Central circle. As far as the Divisional seniority is concerned he could not lay any claim to it because of a specific rule in this regard. It would be unjust if he were to lose his circle seniority when he was not at all at fault and continued to be an incumbent in the same Circle but for the belated orders as regards his posting. This also seems to be the intention of letter No. 69/39/65/S. PBI, dated 10-6-1965, issued by the Director General, Post and Telegraphs, New Delhi to the Post Master General, Nagpur.

He has summarised the position as under (paragraph No. 2) :—

"The officials borne on the Divisional gradation list of the units in Vidharbha Region of the M.P. circle or vice versa under Rule 38 of the P&T Manual Vol. IV will lose the seniority in the Divisional Gradation list but their seniority in the Circle gradation 1st will remain unaffected."

6. I am, therefore, of the view that Kulkarni will not lose his seniority acquired in Central circle when on 30-6-1965 the Vidharbha region was merged into Maharashtra. His subsequent transfer was not a transfer from one Circle to another but was as a result of reorganisation of Circle and though the transfer in fact had been carried on much later it should be treated as though it had taken place on 30-6-1965 the last date for option. The seniority acquired on this date in the Central circle (M.P.) will not be lost to Kulkarni.

ORDIR

I, therefore, direct that his seniority be corrected and his name properly shown in the gradation list taking into consideration the Circle seniority as on 30-6-1965. Since the Department is not represented there shall be no order as to costs.

K. K. DUBE, Presiding Officer
[No. L-40012(6)/82-D.II (B)]
HARI SINGH, Desk Officer

New Delhi, the 13th September, 1984

S.O. 3125.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, in the industrial dispute between the employers in relation to the management of Bhakra Beas Management Board and their workmen which was received by the Central Government on 5-9-84.

**BEFORE SHRI I.P. VASISHTH, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
CHANDIGARH**

Case No. 73 of 1983; (Chandigarh); 74 of 1980 (N. Delhi)
PARTIES:

Employers in relation to the Management of Bhakra Beas Management Board, Chandigarh;

AND

Their Workmen.

APPEARANCES :

For the Employers—Sh. R. L. Kaith.

For the Workmen—Sh. R. K. Singh.

STATE : Punjab. INDUSTRY : Bhakra Beas Management Board.

AWARD

Dated, the 29th August, 1984

The Central Govt., Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act 1947, vide their Order No. L-42011-(25)/79-D.II(B) dated the 22nd of July, 1960 read with S.O. No. 11025(2)/83 dated the 8th of June, 1983 referred the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Bhakra Beas Management Board, Nangal, in not giving scale of Rs. 400—650 to the Asstt. Foreman Special (Work-Charge) as is given to the Foreman Special (Selection Grade) when the duties performed by both the categories of workmen are same, is justified? If not, to what relief the workmen are entitled to?"

2. Brief facts of the case, according to the petitioner workmen, are that they belong to the category of Assistant Foreman Special (Work-chARGE) and perform duties on technical jobs of highly skilled and intricate nature, they had reached

this stage on promotion from the lower ranks by sheer hard work and merit; they were governed by the Bhakra Schedule of Wages since 1950 and fixed in the scale of Rs. 210-300. At a later stage when the Management went in for a general revision of wages of all of its employees, the petitioners were granted the scale of Rs. 200-450. It was averted that under clause 6 of the Punjab Pay Fixation Rules, 1969, adopted by the Resptd. Board, the revised scales were evolved on merging the existing Dearness Pay with the Basic Pay but in their case there crept in an anomaly due to down-grading of their old scale. To be illustrative; at the starting point of the old scale Workman used to draw a Dearness Pay of Rs. 50 which when merged in the Basic Pay fetched him a total of Rs. 260 whereas in the new scale it was reduced to Rs. 200.

3. They, therefore, raised a demand for necessary rectification and prayed for the release of the next higher scale of Rs. 400-650 on the ground that the Workmen of their equivalent 'Trades' performing similar duties i.e. Assistant Foreman Special (regular) were also fixed in that grade, so much so that some of the letter were designated as Assistant Foreman Special (Selection grade) without any set criterion even though the workmen belonging to all these categories were discharging the same nature of duties. To crown it all, one of their junior category i.e. Chargeman, Special Grade II were given an extra advantage on being brought at par with them under the revised scale of Rs. 200.450.

4. Since the Management was found unresponsive despite the intervention of the A.L.C.(C) during the Conciliation proceedings, hence the reference.

5. Contesting the proceedings on all counts, the Management questioned the wisdom of the Appropriate Govt., in seeking adjudication because there was neither any existing nor impending dispute between the parties and otherwise also the demand raised by the petitioners suffered from the evil of laches and delay; another preliminary objection related to the issue of non-joinder of necessary parties. Replying on merits, they pleaded justification for fixing the petitioners in the new pay scale of Rs. 200-450 and submitted that in such matters they had been following the pattern set by Punjab PWD (Irrigation Department) who, while revising the scale of its employees, had adopted this particular grade for its work-charge Assistant Foreman Special. In the same sequence it was propounded that since the employees belonging to the Work-charge, Regular and Selection Grade categories in the classification of Assistant Foreman Special and Foreman Special pertained to distinct blocks because of their educational qualification, professional skill, experience, and nature of duties, therefore, they could not be treated at par in the matter of payment of wages. It was further disclosed that in between the Asstt. Foreman Special and Foreman Special (Selection Grade) they had yet another level of Foreman Special in the scale of Rs. 300-500, and a person desirous of rising to the rank of Foreman Special (Selection Grade) from Assistant Foreman Special had to pass through that intervening stage; obviously by promotion on merit-cum-seniority.

6. Over and above the terms of reference, the parties were taken to trial on the following issue framed by my I.d. predecessor :—

1. Whether the reference is bad for non-joinder of parties?

7. In support of their respective versions both the sides adduced as well as documentary evidence which I have carefully scrutinized and heard them. In all fairness, the Management did not press the preliminary issue and otherwise also there is nothing on record to infer the impropriety of any other person as a necessary party to the proceedings. I, therefore, proceed to deal with the case on merits.

8. It has been the common case of the parties that the Respondent Board generally follows the Punjab pattern in the matter of pay scales. A reference to the Punjab Govt. notification Ex. W-9 would show that at the time of general revision of its employees' pay scales it left the entire lot of Asstt. Foreman Special (I.B.) untouched on the ground that all the incumbents were working on the project i.e. with the Respondent Board; and it goes without saying that their existing pay scale was Rs. 210-300. It was against this back-

drop that the Respondent Board took up the issue of redesignating the concerned Assistant Foreman Special as Foreman Special per their letter No. 5409/12/B-610/2B dated 28-5-1970, a copy of which has been filed by the petitioners as Ex. W-10 on the records of this Tribunal. By that letter the Secretary P.B.M.B. had directed for the placement of the Assistant Foreman Special in the revised scale of Rs. 300-500 to effective from 1-2-68, and significantly enough, authenticity of this letter was not disputed on behalf of the Management. I, therefore, fail to understand as to then how could they refuse to fix up the petitioners in that scale i.e. Rs. 300-500, as prayed by them in their demand notice Ex. M-16.

9. Moreover under the weight of cross-examination the Management's sole witness Sh. Ram Lok MW-1 conceded that there was a decision of the Board that both the regular as well as work charge Assistant Foreman Special should be converted into Foreman Special in the common pay scale of Rs. 300-500 w.e.f. 1-2-68. Thus the petitioners' version as propounded by their representative witness Balwant Rai WW-1, that they were discharging duties similar to their counter parts placed in the regular cadre under a common Employer deserves to be accepted for a common grade, particularly when there is no evidence to indicate any difference in their educational qualifications or professional skill.

10. However, the petitioners demand for being equated with the Selection Grade Foreman Special carrying a scale of Rs. 400-650 is not supported by the available data, and at the risk of the repetition it may also be mentioned that even in the demand notice the petitioners had confined their prayer for being equated with Foreman Special enjoying the scale of Rs. 300-500. It is besides the point that the Selection Grade Foreman Special had earned that level by virtue of their seniority-cum-merit.

11. On behalf of the Management it was strenuously argued that the petitioner had exercised their option in accepting the new scale of Rs. 200-450 and as such, now they were stopped from claiming a higher grade. I am not impressed with the logic primarily because there is no evidence on record to show that the petitioners were duly apprised of it of the implications of the new scales or that they had specifically given up their claim of being equated with the Assistant Foreman Special (regular). All the same, assuming for the sake of arguments that there was some substance in the Management's view point the same got knocked out when the Board passed a resolution and issued the instructions vide their letter Ex. W-10 redesignating the petitioners as Foreman Special for fixation in the scale of Rs. 300-500 w.e.f. 1-2-68.

12. Accordingly, I partially sustain the petitioner cause and hold that even though the Management was justified in declining to equate them with the Foreman Special (Selection Grade) carrying a scale of Rs. 400-650 yet it had no sound logic in denying them the time scale of Rs. 300-500.

13. During the course of hearing before me I was informed by both the parties that there was yet another revision of pay scales effective from 1-1-78, therefore, to make it an effective and practical proposition I direct the management to fix up the petitioners in the pay scale of Rs. 300-500 w.e.f. 1-2-68 and resit them in the new corresponding scale granted w.e.f. 1-1-78. But keeping in view the huge financial implications no back wages, in the shape of arrears etc., shall be paid to them for the period upto 31-12-77. i.e. concerning the first revision.

14. Award returned accordingly.

Chandigarh ;
29-8-1984.

I. P. VASISHTH, Presiding Officer
[No. L-42011/25/79-D.II(B)]

S.O. 3126.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, in the industrial dispute between the employers in relation to the management of Bhakra Beas Management Board, and their workmen, which was received by the Central Government on 5th September, 1984.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,
CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL,
CHANDIGARH

Case No. I.D. 98/83 (CHD); 58/81 (Delhi)

PARTIES :

Employers in relation to the Management of Bhakra Beas Management Board, Chandigarh;
AND
Their Workmen.

APPEARANCES :

For the Employers : Shri R. L. Kaith.
For the Workmen : Shri R. K. Singh.

ACTIVITY Bhakra Beas Management Board.

STATE : Punjab.

Dated, the 29th August, 1984

AWARD

The Central Government, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act 1947, hereinafter referred to as the Act, vide their Order No. L-42024(15)/80-D.II(B) dated the 20th April, 1981 read with S.O. No. S-11025(2)/83 dated the 8th of June, 1983 referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management in revising and fixing Pay Scales of Fitters (Structure shop and Pen Stock Fabrication) from the scale of Rs. 85-3-115 to the Scale of Rs. 110-4-160/180 with effect from 1-2-1968 and also by comparing them with Fitters of Heavy Machine was justified ? If not to what relief the workmen are entitled to in regard to their scales of Pay and Classification of their Trades ?"

2. Brief facts of the case, according to the petitioner-workmen are that they belong to the category of 'Fitters' and are engaged against various assignments in the Nangal Workshop Division (Irrigation Wing) under the Respondent/Board; many amongst them had initially joined Fitters in the scale of Rs. 50-55 with the classification of Trade Structure Shop and Penstock fabrication; since most of them were I.T.I. qualified and had reached the saturation point of their scale, therefore, by way of a settlement they were promoted as Fitters and placed in the scale of Rs. 85-115 of the Bhakra Schedule of Wages in the terms of letter No. 6/178 B&B dated 19-9-1967 issued by the Under Secretary, Government of India, Ministry of Irrigation and Power. In the year 1970-71 when there was general revision of pay scales of the Board employees, they were initially fixed up in the grade of Rs. 100-160 whereas the Fitters (Heavy Machine) were given the scale of Rs. 110-180 even though the nature of their duties required lesser skill and responsibility as compared to the petitioners. However, the mistake was partially rectified by placing them also in the scale of Rs. 110-180. The new scales were made effective from 1-2-1969 for all the categories.

3. It was complained that the above said revision of pay scales was detrimental to the interests of the petitioners because on adopting Punjab pattern, the Management had merged the Dearness Pay with the basic pay for evolving the new scales. To be illustrative; in the old scale of Rs. 85-115, a new entrant got a D.P. of Rs. 40 to ensure a minimum of Rs. 125 whereas, the starting salary in the new scale was reduced to Rs. 110 only; similarly even at the time of the closing of the scale, the workman was not going to get more than Rs. 15 as the maximum benefit; moreover some of the petitioners whose Basic Pay plus Dearness Pay amounted to Rs. 128 in the old grade were fixed at Rs. 126 in the new scale even though it should have been fixed at the next available slab of Rs. 130. It was apprehended that the Management had adopted the old scale of Rs. 60-90 of the Bhakra Schedule of Wages as the basis for formulating the new scale of Rs. 110-180 and that was how that it arrayed them with Heavy Machine Fitters, otherwise there was no reason as to why they should not have been equated with their counter parts designated as Fitter Steel Structure in the scale of Rs. 120-250 since they were discharging exactly the same nature of duties on common platform.

4. The petitioners, therefore prayed for their re-classification as Fitter-Structural and Penstock Fabrication so as to be granted the scale of Rs. 140—300 w.e.f. 1-2-1968.

5. Resisting the proceedings on all counts the Management questioned the propriety of the reference for want of any existing or impending dispute which could be duly espoused. On merits, initial recruitment of the petitioners in the grade of Rs. 50—55 and then in the scale of Rs. 85—115 was not contested. However it was explained that since the Management had different pay scales under common Schedule of Rates applicable to the various branches of PWD like Public Health, B&R and Irrigation; therefore they had adopted a justifiable criterion to equate the petitioners with the Fitters of Heavy Machine for fixing them in the revised grade of Rs. 110—180 on obtaining their consent. It was averred that Fitters working under the Board were deployed on different jobs, classification and trades and, as such, required to be fixed up in different scales in accordance to the nature of their duties.

6. To put in other words, the Management denied any impropriety in its action of equating the petitioners with the Fitters of the Heavy Machine for fixation in the scale of Rs. 110—180. The parties were, thus taken to trial on the following issues arising from the pleadings.

- (i) Whether the reference is incompetent ? OPR
- (ii) Whether the workmen's cause is properly espoused ? OPP.
- (iii) Whether the action of the Management in revising pay scales of Fitters (Structural Shop and Pen-stock Fabrication) from the scale of Rs. 85-115 to the scale of Rs. 110-140/180 w.e.f. 1-2-1968 on comparing them with Fitters Heavy Machine was justified ? If not to what relief the workmen are entitled to in regard to their pay scale and classification of Trade ? O.P.R.

7. In support of their respective versions both the parties adduced verbal as well as documentary evidence which I have carefully perused and heard them at length, My issue-wise discussion and findings are as follows :—

8. ISSUES NO. 1 & 2.

8. In all fairness to him, the I.D. representative of the Management did not press his preliminary objections giving rise to these issues though, otherwise also it is abundantly clear from the report of the ALC(C) that the Bhakra Beas Employees Union had raised the demand on the Management for the appropriate relief including the higher scale of Rs. 120—250. Obviously it involved an Industrial dispute within the meaning of Section 2(K) of the Act because of the implication of the terms and conditions of the petitioners' employment and thus the matter required adjudication in view of the conflicting stands taken by the parties.

9. I, therefore, find no impropriety in the action of the Appropriate Government in moving a regular reference to the Tribunal, and as such, both the issues are answered against the Management.

Terms of Reference

10. It is common case of the parties that prior to the revision of pay scales w.e.f. 1-2-1968 the petitioners were working in the scale of Rs. 85—115 and as a policy decision, the Dearness Pay was merged in the basic pay under the Punjab pattern for evolving the new pay scales for all the categories of the employees. If any affirmation were required, reference may be made to the deposition of the Accounts Clerk Piara Singh MW-2. Similarly from the Regulations Ex. W8 it is evident that there was a sort of commitment on behalf of the Management to evolve new pay scales in such a manner that no workman was put to any monetary loss, rather the intention was to provide some relief to them, and simultaneously to regularise the pay scales in a workable fashion.

11. Be that as it may, in the old scale of Rs. 85-115 a Fitter, placed like the petitioners, used to draw a minimum of Rs. 40 and a maximum of Rs. 50 as Dearness Pay at the starting and closing points of the grade, meaning thereby

that in effective terms the scale was to the tune of Rs. 125—165 obviously on including the dearness pay in the Basic Pay. It, therefore, follows that the new scale of Rs. 110—180 down graded their salary by Rs. 15 at the initial stage, though at the saturation point the deficiency was made up on raising the figure of Rs. 180 from Rs. 165. In a manner of speaking the exercise of new Pay Scales did not provide any worthwhile relief to the workmen, on the other hand it proved detrimental to their cause because some of them who were already drawing a salary of Rs. 128 i.e. Basic Pay plus Dearness Pay, were admittedly fixed at Rs. 120 under the applicable rules.

12. In the same sequence it may also be recorded that the Heavy Machine Fitters with whom the petitioners were equated at the time of Revision belonged to a lower category carrying a scale of Rs. 60—90. To put in other words, while giving an extra advantage to the Heavy Machine Fitters the Management inadvertently caused an unnecessary heart burning to the petitioners by ignoring their claim for better prospects despite the fact that their job was more strenuous as compared to the Heavy Machine Fitters.

13. It is against the aforesaid backdrop that the petitioners claim for equation with the Fitter Steel Structures requires to be appraised because their evidence that the nature of their job compares favourably with the later category remains almost unrebutted. I, therefore, sustain their cause and on disapproving the Management's action in equating them with the Heavy Machine Fitters propose their fixation in the next higher grade of Rs. 120—250 as granted to the Fitter Steel Structures.

14. During the course of hearing before me I was informed by both the parties that there was yet another revision of Pay scales w.e.f. 1-1-78. Hence to make it an effective and practical proposition, I direct the Management to fix up the petitioners in the pay scale of Rs. 120—250 w.e.f. 1-2-1968 and refix them in the new corresponding scale granted w.e.f. 1-1-78. But keeping in view the huge financial implications no back wages in the shape of arrears etc. shall be paid to them for the period up to 31-12-1977 i.e. concerning the first revision of wages.

15. Award returned accordingly.

Chandigarh.
29-8-1984.

I. P. VASISHTH, Presiding Officer
[No. I-42025(15)/80-D. II(B)]

New Delhi, the 13th September, 1984

S.O. 3127.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, in the industrial dispute between the employers in relation to the management of Bhakra Beas Management Board, and their workmen, which was received by the Central Government on the 5th September, 1984.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,
CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL,
CHANDIGARH

Case No. I.D. 155/81 (N. Delhi) 103 of 1983 (CHD)

PARTIES :

Employers in relation to the Management of Bhakra Beas Management Board, Chandigarh.

AND

Their Workmen—Shri Niranjan Singh and Others.

APPEARANCES :

For the Employers--Shri R. L. Kaith.
For the Workmen—Shri R. K. Singh.

AWARD

Dated, the 30th of August, 1984

The Central Government Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947, hereinafter referred to as the Act, per their Order No. L-42011(10)/81-D.II (B), dated the 9th of November, 1981 read with S.O. No. S-11025 (2)/83 dated the 8th of June, 1983 referred the following Industrial dispute to this Tribunal for adjudication :—

"Whether the demand of workmen that Savishree Nitinjan Singh, (2) Gian Chand, (3) Udam Singh, and (4) Surjeet Singh, Fire Appliance Drivers, should be re-designated as Driver Mechanic and placed in the scale of Rs. 140—300 with effect from 1-2-1968 is justified ? If so, to what relief are the concerned workmen entitled ?"

2. Brief facts of the case, according to the petitioner-workmen, etc that they were recruited as Drivers by the predecessor Authority of the Respondent Board on different occasions before its inception as Drivers in Work-charge capacity and placed in the scale of Rs. 60—90 which was raised to the level of Rs. 90-3-120 on the advice of the Ministry of Irrigation and Power under the Common Schedule of Rates applicable to the various branches of the Punjab P.W.D. In 1967, the petitioners were classified in the special category of "Driver fire appliance" and assigned to the Bhakra Nangal Fire Brigade who was separately maintaining their seniority. It was averred that in addition to the duty of Drivers they were also required to operate the pump embodied in the engine of the Tender.

3. The petitioners complained that under the Common Schedule of Rates 1962 the pay scales of Fire fighting staff had been distinctly mentioned and the trade of Driver-Fire appliances was incorporated at Sr. No. 2.95 for a scale of Rs. 140—300 w.e.f. 1-2-68 but the same was denied to them on the analogy that the pay scale of the ordinary Drivers in the Irrigation Wing was Rs. 130—200. It was further propounded that on the query of the Respondent Board, Beas Dam Authorities confirmed that they had designated their Fire staff Drivers as Driver Mechanics per Common Schedule of Rates of 1962. So much so that even the concerned Executive Engineer had recommended for the petitioners' fixation in the relevant scale of Rs. 140—300 but the Management did not pay any heed and so one of them (petitioners) was forced to knock the doors of Labour Court Jallandhar Under the 33C(2), albeit he failed for want of jurisdiction.

4. The petitioners pleaded that the Respondent Board was committed to follow the pattern of Punjab Government and Beas Construction Board in the matter of pay fixation of their staff, who as stated earlier, had already granted the scale of Rs. 140—300 to their counter part Drivers; moreover the work at Beas Sutlej Link Project and Beas Dam Talwara was already in the process of completion and their staff, including that of the Fire services had to be taken over by the Respondent Board; and that it would be quite an anomalous situation if the aliens were to be placed in a higher scale inspite of the fact that both of them were required to do the same nature of the job at a common site and under the same Employer. The petitioner therefore, raised a demand for grant of scale in accordance to Art. No. 2.95 of the Common Schedule of Rates but found the Respondent Board unresponsive despite the intervention of the A.L.C. (C) during the Conciliation proceedings; hence the reference.

5. Resisting the proceedings on all counts, the Respondent Board questioned the validity of the Reference and wisdom of the Appropriate Government in approaching the Tribunal for adjudication of the dispute which was never properly presented before them. However, it was admitted that the petitioners were working alongwith the Fire Crew in the Bhakra Dam Division but it was averred that their seniority was quite different and distinct from the Drivers employed in the Transport and Mechanical Divisions. According to the Management, the petitioners were classified as Driver (Fire Appliances) and as such covered under Art. No. 2.94 of the Common Schedule of Rates rather than under Art. No. 2.95 which was meant for Driver Mechanics. It was denied

that the pay scale of Rs. 140—300 was sanctioned for the category of the Drivers placed like the petitioners by the Punjab Government or any other Authority whose pattern could be binding on them.

6. In view of their pleadings the parties were put to trial on the following issues framed over and above the term of reference :

- (i) Whether the workmen's cause is properly espoused if not, to what effect ? O.P.P.
- (ii) Whether the reference is legally infirm; incompetent or premature as alleged ? O.P.R.

7. In support of their case one of the petitioners Surjeet Singh appeared in the witness box and also filed a number of documents whereas the Management felt contended with the deposition of their Chief Fire Officer Shri T. N. Kaul I have carefully perused the entire available data and heard the parties. My issuewise discussion and findings are as follows :

8. ISSUE NO. I and II

In all fairness to him, the Lt. representative of the Management did not press his preliminary objections giving rise to these issues though, otherwise also, it is abundantly clear from the report of the ALC (C) that the Bhakra Beas Employees Union had raised the demand on the Management for the designation of the petitioners as 'Driver Mechanics' and release of the relevant scale of Rs. 140—300. Obviously it involved an Industrial dispute within the meaning of Section 2(k) of the Act because of the implications of the terms and conditions of the petitioners employment and, thus, the matter required judicial adjudication in view of the conflicting stands taken by the parties. Moreover it is the common case of the parties that at least one of the petitioners had approached the Labour Court, Jallandhar for relief under Section 33C(2) which was refused for want of jurisdiction, because the question of subsisting rights required proper jurisdiction under Section 10 of the Act.

9. I, therefore, find no impropriety in the action of the Appropriate Government in moving a regular reference to the Tribunal; as such, both the issues are answered against the Management.

TERMS OF REFERENCE

10. On behalf of the petitioner/workmen much stress was laid on the Management's policy decision to follow the Punjab and BCB pattern in the matter of pay scales; and support was sought from their letter Ex. W-14. In the same sequence my attention was drawn towards the Management's correspondence with their counterparts at Talwara, who are running a Unit under the BCB.

11. Relevant letters Ex. W-8 to W-12 do indicate that there was no exchange of notes between the two Organisations regarding the pay scales of the Driver Fire Appliance and the Talwara Authorities intimated that they had sanctioned the scales of Rs. 140—300. As a matter of fact a recommendation on these lines was also made by the Executive Engineer Bhakra Dam Division Nangal Township to the Personnel Officer vide Ex. W-13. Similarly on behalf of the petitioners it was submitted that the Chief Fire Officer Shri T. N. Kaul, who appeared in the instant proceedings as a witness for the Management to frustrate their claim, had himself espoused their cause in his deposition in the Section 33C(2) proceedings as should be evident from a certified copy of his relevant statement Ex. W-15. It was, therefore, urged that there should have been no hesitation in the mind of the Management to release the demanded scale of Rs. 140—300, particularly when the petitioners were performing the dual function of a Driver-cum-Mechanic on a strenuous trade like Fire Fighting, where, in the very nature of things, they were also required to undergo extra duties like drill and P. T. etc.

12. Despite seeming attraction the submissions raised on behalf of the Petitioners failed to carry conviction with me. The pertinent point is that even though a part of the B.C.B. project operating at Talwara might have granted a certain scale to its employees, but the same cannot be 'ipso-facto'

iven to be petitioners in the absence of any positive material hat they were discharging the same nature of duties and ore similar educational qualifications or professional skill. significantly enough there is not even an iota of evidence in this crucial aspect of the issue, therefore, no amount of correspondence between the two Organisations could come heir rescue. And in so far as the recommendations of he Executive Engineer or the personal views of the Chief Fire Officer are concerned they can hardly have any binding effect on the Management to release a particular scale to is employees.

13. Be that as it may, on their own showing the petitioners oined service as Drivers on different occasions from the ear 1958 to 1971 as should be evident from Para No. 1 of heir claim statement; in Para No. 2 thereof, they concerned heir absorption in the category of Driver Fire Appliance where their seniority is being maintained upto date. It was further propounded by them that their wages were governed under the Common Schedule of Rates revised from time to time by the Management. They, however, pleaded that at the time of revision effective from 1-2-68, they should have been covered under Article 2.95 because they had been designated as Driver Mechanics. The argument is unsustainable on the very face of it firstly because there is no evidence of their ever being designated as Driver Mechanics and secondly because Article 2.95 relates to those Workmen who, at one stage, had been designated as selection grade Fire Fighting men whereas the petitioners were Driver Fire Appliance who are squarely covered by article 2.94 of the Common Schedule of Rates; and it goes without saying that the existing scale granted to them by the Management falls under the later category.

14. It may not be out of context to mention here that on the admission of the petitioner Sujit Singh, in his cross-examination as W.W-1, none of them is a trained Mechanic and they do not attend to any mechanical defects which may even normally develop into their vehicles during the course of journey; actually he would have us believe that the Drivers may leave the vehicles on the way because it is none of their duty to remove such defects. I, therefore, fail to understand as to then on what basis they claim themselves to be Driver Mechanic so as to aspire for a higher scale.

15. Accordingly I find no impropriety in the Management's action in declining the scale of Rs. 140—300 to the petitioners at the time of general revision effective from 1-2-68 and, as such, return my Award in its favour and against the petitioners.

Chandigarh,

Dated : 30-8-1984.

I. P. VASISHTH, Presiding Officer
[No. I-42011(10)/81-D.II(B)]

S.O. 3128.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Cantonment Board, Pune, and their workmen which was received by the Central Government on the 4th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/13 of 1984

PARTIES :

Employers in relation to the Management of Cantonment Board, Pune

AND

Their Workmen.

APPEARANCES :

For the Employers—Shri B. C. Verma, Cantonment Executive Officer.

For the Workmen—Shri D. S. Gaikwad, General Secretary, Pune Cantonment Kamgar Sangh.

INDUSTRY : Cantonment Boards STATE : Maharashtra

Bombay the 17th August 1984

AWARD

(Dictated in the Open Court)

By their order No. L-13011(4)/83-D.II (B) dated 19-3-1984 the following dispute has been referred for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 :—

"Whether the action of the Cantonment Board, Pune in refusing to equate the Post of Revenue Superintendent, Pune Cantonment Board with that of Superintendent Revenue Maharashtra State Government is justified ? If not, to what relief is the workman concerned entitled ?".

2. The contention of the Union who is espousing the case of the employees concerned is that in the Memorandum of settlement arrived at between the Cantonment Boards and their workmen for the purpose of pay and allowances all Cantonment Board employees are equated with the equal and corresponding posts of the State Government employees according to their nature of duties and responsibilities. Their contention however is that the post of Revenue Superintendent of the Cantonment Board, Pune, which post the workman in question at present is holding, has been wrongly equated with the post of Assistant Superintendent, Directorate of Publicity, since there is nothing common so far as the nature of duties, responsibilities and load of work is concerned. It is further urged that realising this position at the request of the Revenue Superintendent concerned the Cantonment Board, Employer Board, passed a resolution No. 19 dated 4-5-1979 recommending the case of the Revenue Superintendent for direct equation at par with the pay and allowances of Superintendent of Revenue Department of State Government and the then Executive Officer of the Cantonment Board also agreed and recommended the case to the Commanding in Chief, HQCC, Pune for action accordingly. The parties inform that the said proposal was sent back by the GOC, HQSC, Pune for clarification which was submitted by the Board in the year 1981 but ultimately GOC, HQSC, Pune rejected the proposal on 18-5-1984.

3. The Board by their written statement refused the demand and insisted that when there is a settlement equating the post of Revenue Superintendent in the Cantonment Board to that of Assistant Superintendent, Publicity Department of the State Government, during the time the settlement is in force and binding on the parties the issue cannot be re-opened and therefore they have pleaded the bar of estoppel. It is further urged that under the terms of settlement there was remedy available to the workman of making reference which was not availed of, therefore he cannot seek any redressal of the grievances under para 20 of the Settlement.

4. On the above pleadings the following issues arise for determination and my findings thereon are :—

Issues	Findings
1. Was it incumbent on the workmen to refer the dispute to the nominee within three years from the date of signing of settlement under its terms ?	No
2. What is the effect of failure to make such a representation within the prescribed time Is the workman estopped from raising the dispute ?	Does not arise
3. Whether the dispute can be raised when the settlement is still in force ?	No
4. If yes, does the Union prove that the post of Revenue Supdt., Pune Cantonment Board should be equated with that of Supdt. of Revenue, Maharashtra Government ?	It cannot prove.
5. Is the said claim justified ?	Does not arise.
6. If not to what relief the workman is otherwise entitled ?	

REASONS

5. The facts are not much in dispute and it is an admitted fact that under the Memorandum of Settlement, a Section 2(p) Settlement, signed on 13-5-1969 the equation of the posts was considered and laid down. One of the posts considered was that of Revenue Superintendent at page 119 under Serial No. 40 and was equated with the post of Asstt. Superintendent in the office of the Directorate of Publicity, indirectly. The Grade of the Revenue Superintendent was 150-10-250 revised Rs. 220-10-320, which I am given to understand was further revised to Rs. 395—800. Now on behalf of the Union the stress has been laid on the recommendations made by the Cantonment Board, and also by the Executive Officer as contended in the written statement and it is urged that when the Cantonment Board itself by resolution No. 10 dated 4-8-1979 has recommended the case, no further clarification is needed justifying the necessity of re-equation. At Annexure A there is a copy of the relevant resolution which speaks :—

"To consider representation dated 14-9-79 from Shri Mangal Singh Reve. Supdt., requesting the Board to reconsider his case and he should be given the benefit of direct equation at par with the pay and allowances of the Reve. Supdt. of Maharashtra State Government i.e. Rs. 600—1150. The representation has been recommended by Shri B. V. Ganla, V. P. Dr. K. S. Agarwal and Sarvashri A. N. Khurpe, P. N. Kedari, S. M. Yadav, M. C. Mathurwala and R. Hantri members of the Board."

6. Had this recommendation been accepted by the GOC-in-Chief, HQSC then there was no difficulty but it is an admitted fact that ultimately the proposal did not find favour with the said authority, who rejected the same. Had there been any acceptance, the present dispute would not have seen the light of the day. Since there is rejection the question to be considered is whether this Tribunal in exercise of the powers under Section 10(1)(d) of the Industrial Disputes Act can impose its will on the Cantonment Board and the GOC-in-Chief HQSC.

7. We have already seen that the matter was considered at the time of settlement and equation of the post of Revenue Superintendent concerned though indirectly was done and it is equated with the Assistant Superintendent, Directorate of Publicity as laid down at page 119. In this connection it is pertinent to note that similar equation was done in the case of Accountant whose proposed scale was Rs. 220-10-320 (S. No. 1 page 115) and similarly in the case of Fire Brigade Superintendent-cum-Motor Mechanic, S. No. 18 at page No. 116 the proposed scale was Rs. 220-10-320 and all these three equal posts were equated to the post of Assistant Superintendent, Directorate of Publicity.

8. Clause 16 of the settlement has detailed that in case of any omission that is if any category has been omitted from the schedule or a new category of posts is erected after 1-9-1967, the scale of pay and allowance therefore shall be fixed by the GOC-in-Chief, the command on the basis of equation with a corresponding category of employees in the State Government at district level. We have already seen that there was no omission, the post was considered and equation has been done.

9. The question is when Section 2(p) settlement is still valid and binding on the Union as well as on the workman concerned, can the Union make a demand for making alteration in a particular clause of the settlement and asked for relief. Under Sections 18 and 19 of the Industrial Disputes Act the persons on whom settlements and award are binding as well as the period of operation of settlements and awards have been given and since admittedly the settlement has not been revoked and since admittedly the settlement is still in force no demand can be made which would prove derogatory to the terms of settlement. Had there been no such settlement which is valid and binding and had there been a similar demand for consideration referred for adjudication under Section 10(1)(d) of the Act the fact that the Body namely, the Cantonment Board of Pune, had found the reasonableness of the request certainly would have gone a long way in justifying the demand and as such the recommendations by the Cantonment Board would have played an

important part. However, here the Board itself in view of the settlement could not have recommended anything contrary to the terms of settlement and if therefore the GOC-in-Chief, HQSC rejected that proposal in other words did not accept it no relief is possible particularly during the period when the settlement continues to be valid and binding. In my view therefore what is urged that no relief can be claimed till the settlement is valid and binding carries all the force.

10. My attention was drawn to clause 20 of the settlement under which if any question arises relating to the interpretation or implementation of the terms of settlement the matter has to be referred to the authority stated. It also deals with the case of error or discrepancy. In the instant case there is no question of interpretation and implementation nor any question of discrepancy or error but what is urged is that the post should have been equated with the Superintendent in the Revenue Department of the State Government. Clause 20 and the machinery as contemplated cannot therefore be attracted. Moreover assuming that the machinery and the implementation was contemplated yet since there was a reference, had the terms of settlement been otherwise not operated as a bar, there would not have been any difficulty in granting any relief in case the same was found to be reasonable. In the instant case however, since the terms of settlement are valid and binding as already stated, no relief is permissible.

Award accordingly.

M. A. DESHPANDE, Presiding Officer
[No. L-13011(4)/83-D.II (B)]

S.O. 3129.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur (M.P.) in the industrial dispute between the employers in relation to the General Manager Vehicle Factory, Jabalpur, and their workman, which was received by the Central Government on the 3rd September, 1984.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(19) of 1981

PARTIES :

Employers in relation to the Management of Vehicle Factory, Jabalpur (M.P.).

AND

Their workman Shri S. K. Tungal.

APPEARANCES :

For Management—Shri S. L. Shivastava, Advocate.

For Workman—Shri P. S. Nair, Advocate.

INDUSTRY : Vehicle Factory/Engineering

DISTRICT : Jabalpur (M.P.)

AWARD

Dated, 21st August, 1984

The Central Government in exercise of its powers under section 10 of the Industrial Disputes Act vide its notification No. L-14012(2)/78-D.II.B., dated the 2nd May, 1981 referred the following question for adjudication :—

"Whether the action of the General Manager, Vehicle Factory, Jabalpur in dismissing Shri Sarjeet Kumar Tungal, Ex-Assistant Store Keeper vide his order dated 14th August, 1975 from service with effect from 14th August, 1975 is proportionate to the misconduct on the part of the employee? If not, to what relief he is entitled?"

2. S.K. Tungal, at all material was an Assistant Store Keeper, S.E.M. Tools Godown, Vehicle Factory, Jabalpur. He was charge-sheeted along with R.K. Dube Asstt. Store Keeper, S.E.M. Tools Godown and Lakan Singh, Checker,

S.E.M. Tools Godown, for misconducts which had resulted in loss to the Establishment.

3. Misconducts alleged were that he conducted himself in a manner unbecoming of a Government servant inasmuch as he was negligent in discharge of his duties, which lead to the loss of valuable Government stores, tantamounting to dereliction of duty and secondly abetting in the theft of valuable Government stores. A Board of Enquiry was appointed to hold the enquiry into the misconduct. After protracted proceedings in which Tungal participated he was held guilty of all the charges. The Board of Enquiry recommended that Tungal should be dismissed from services. Accordingly, by an order dated 14-8-1975 he has been dismissed from services.

4. The facts leading to the enquiry briefly stated are these. The Stores Department where Tungal was posted at the relevant time was manned by : (1) Plant Officer at the Head, (2) a Foreman below him, (3) then an Assistant Foreman, (4) then below him a Supervisor and then an officer in charge of the Stores R.K. Dubey and below him came the Store Keeper, which post was occupied by Tungal and below Tungal were the two Checkers, one of whom have been jointly charge-sheeted with him. Besides the above officers, there were five labourers assisting them. Certain stores were found missing and therefore an enquiry was made about the causes of loss. The management felt that the three persons viz. R.K. Dubey Officer in charge of stores, Tungal the Assistant Store Keeper and Lakhman Singh, Checker had not discharged their duties and responsibilities properly inasmuch as the Bin Cards were not filled and concerned books were not written. The above conduct made it possible for the miscreants to remove the stores and therefore they have also been charge-sheeted for abetment of theft.

5. Before we it had been contended by the learned counsel for the Union that the enquiry is vitiated for the reasons that the findings given by the Board of Enquiry are wholly perverse, secondly they have not considered material facts and circumstances and thirdly the enquiry is vitiated because of the management discriminated in picking the three above-named persons for the purpose of responsibility for the loss and in not charge-sheeting the others who were negligent in supervising and equally guilty in the matter.

6. The last contention that the management for no justifiable reason failed to charge-sheet others equally guilty, thus discriminating invidiously, may be taken first. It is urged that the ultimate responsibility was that of the Plant Officer and he should have been joined as a co-accused. Similarly, the Foreman Shri D. K. Misra was responsible for the stores and he was bound to check the working of the stores department and he could not escape the responsibility for the loss of stores. He too ought to have been made a co-accused. There is no substance in these contentions. The persons sought to be charged are for dereliction of duty and for negligence and not for vicarious liability. I fail to see how the management could be said to have discriminated here. The decision of Patna High Court in South Kunjama Colliery Vs. Central Government Industrial Tribunal (1967-II-LI.J. 193) is wholly inapplicable to the facts of the case. In the cited case the management discriminated in imposing punishment when three were equally guilty. One of them had been removed from services and the others allowed to continue with mere warning. The Tribunal, therefore, intervened and set aside the punishment holding that it was discriminatory and actuated by mala fides amounting to unfair labour practice. It is difficult to see how this case applies here. It was open to the management to see and examine whom they should charge-sheet in the facts and circumstances of each case. From the facts of the case it does not appear that either the Foreman or the Assistant Foreman or the Supervisor Officer had allowed the three persons to be negligent or not discharged their duties properly. Moreover all the facts are not before me to examine the position. Therefore this argument cannot be sustained.

7. As regards not taking into consideration the material facts, it was pointed out that the Board had completely overlooked the facts that the management had at no time proved that Bin Cards were available to the officer concerned and since there is no evidence to establish the availability of the Bin Cards it should be presumed that there were no Bin Cards in the stores and the delinquent officer therefore could not be charged for not writing them. There is nothing in the evidence to suggest that there were no Bin Cards in the Store Room. On the contrary, the evi-

dence is to the effect that the delinquent officer had failed to write Bin Cards and there is no evidence to disbelieve evidence of Mukhtar before this Tribunal. If there were no Bin Cards the material should not have been issued at all. The existence of Bin Cards have necessarily to be presumed as these are necessary for the normal conduct of the business in the Stores department. Since the official issuance of the stock takes place from the Store Room, it has necessarily to be recorded in the Bin Cards. Moreover, the accused never made any grievance that he had not filled in Bin Cards because they were not available. This is entirely a new case sought to be built up now and the plea had not been taken at the time of enquiry. This point has absolutely no substance.

8. It was then pointed out that the evidence of Dube has been ignored when he stated that he was giving oral orders to the delinquent officer in regard to his duties. If the material was to be issued from the stores the Bin Cards and the other register had to be maintained showing the issuance of the stock. Certain duties are so inseparable that if one part is asked to be done it necessarily followed that the officer must also do the other part and it is not necessary to pass the order separately for the performance of the other part of the duty. If this official was concerned in the issuance of the stock he was also materially concerned in writing Bin Cards and the other register recording the issuance. If the orders were for issue of stock then no grievance can be made that the orders should have been made every time in writing for writing the concerned books and cards. The oral orders were as much binding on him. He does not say that there were no orders from Dube not to write the Bin Cards or the register. I am, therefore, inclined to hold that no material facts have been ignored by the Board of Enquiry.

9. The finding could be said to be perverse if it is found that there is absolutely no evidence to support such finding or that the conclusion is so shockingly bad that a prudent man sitting judicially would never be able to reach such conclusion. There is ample evidence that the Bin Cards and the register were not written by the delinquent officer. What could be said to be lacking in the enquiry is that there has been no attempt to bring on record such material as would establish the duties of the delinquent officer.

10. From the examination of the delinquent officer it would appear that he was asked to write the inventory register. His contention here is that it was not the prescribed duty of the Assistant Store-Keeper. Here it may be stated that he had admitted that Dube was giving oral instructions for writing the books and cards. Now if the oral instructions were there they are as much to be obeyed as written instructions unless he is able to show that the duty to write inventory register was officially kept with some one else. He seems to be very much relying on the technicality that the management has not been able to prove the roster of duties or the dispersal of the duties amongst the officials. One thing is clear that if the delinquent officer was responsible for the stores and he had to issue stores and receive stores he was bound to write Bin Cards and while accepting and issuing stores he was bound to make entries of the stores in books kept for the purpose. He has admitted that it was a part of his duty to maintain the stores placed under him. The responsibility to keep stores assumes such other duties as keeping the correct record of the stores. There have been many thefts in the stores. This was rendered easy when the officers concerned did not maintain proper registers. Now if the delinquent officer had to write this register and his inaction in not completing the entries in the register would go to show that he was negligent in the maintenance of the register which he had to handle and which had kept the correct position as regards the stores obscure.

11. I am inclined to take the view that the delinquent officer though it may not be possible to hold him guilty directly on specific instance of the negligent was negligent in the sense that the inventory register was not maintained and the correct stock position could not be known. He should not have issued any stock without proper filling of the Bin Cards. To this extent he is responsible and there is a dereliction of duty. He however has not committed a misconduct as would merit serious punishment of dismissal from service. It was necessary that somebody superior to him had checked his work from time to time and warned him in time that he was not discharging his duties properly. He could not be held to have abetted the offence of theft. There seems to be some

misapprehension as regards roster and duties that he was required to discharge. It is difficult to measure the extent and the magnitude of the default in the present case. Therefore, the punishment of dismissal in the instant case is wholly out of place. I would, therefore, direct that he be reinstated forthwith. He will be deemed to be in service from the date of the publication of this order. The question remains whether he should be paid back wages or not. I think this is sufficient punishment that he will not get the wages for the time he had remained out of employment.

ORDER

I accordingly direct that S. K. Tungal be immediately reinstated on the same post. The period during which he had remained unemployed will be treated as 'dies non', he will not get wages for this period. Except this his service will be deemed to be continued for all other purposes. There shall be no order as to costs.

K. K. DUBE, Presiding Officer
[No. L-14012(2)/78-D.II(B)]
HARI SINGH, Desk Officer

नई दिल्ली, 12 सितम्बर, 1984

का. आ. 3130—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवद अधिनियम, 1947 (1947 का 14) की धरा 2 के खण्ड (इ) के उपखण्ड (vi) के उपबन्धों के अनुसरण में भारत सरकार के अम और पुनर्वास मंत्र लल्य, अम विभाग की अधिसूचना संख्या का. आ. 855 दिनांक 27 फरवरी, 1984 द्वारा जिक उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 19 मार्च, 1984 से छः मास की कालावधि के लिए लाल उपयापी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए नकाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवद अधिनियम, 1947 (1947 का 14) की धरा 2 के खण्ड (इ) के उपखण्ड (vi) के प्रत्यक्ष द्वारा प्रदत्त शास्त्रियों को प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 19 सितम्बर, 1984 से छः मास की और कालावधि के लिए लाल उपयापी सेवा घोषित करती है।

[फा. संख्या एस- 11017/4/81-डी-1(ए)(i)]

New Delhi, the 12th September, 1984

S.O. 3130.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause(n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour and Rehabilitation Department of Labour S.O. No. 855 dated the 27th February, 1984 the Zinc Mining Industry to be a public utility service for a period of six months from the 19th March, 1984;

And, whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 24th September, 1984.

Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 19th September, 1984.

[No. S-11017/4/81-D.I (A)(i)]

का. आ. 3131—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवद अधिनियम, 1947 (1947 का 14) की धरा 2 के खण्ड (इ) के उपखण्ड (vi) के उपबन्धों के अनुसरण में भारत सरकार के अम और पुनर्वास मंत्रालय अम विभाग की अधिसूचना संख्या का. आ. 856 दिनांक 24 सितम्बर, 1984 द्वारा सीखा उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 24 मार्च, 1984 से छः मास की कालावधि के लिए लाल उपयापी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए नकाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवद अधिनियम, 1947 (1947 का 14) की धरा 2 के खण्ड (इ) के उपखण्ड (vi) के परन्तु द्वारा प्रदत्त शास्त्रियों को प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 24 सितम्बर, 1984 से छः मास की और कालावधि के लिए लाल उपयापी सेवा घोषित करती है।

[फा. संख्या एस- 11017/4/81-डी-1(ए)(ii)]

श. ह. सु., प्रध्याय, अवर सचिव

S.O. 3131.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause(n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour and Rehabilitation Department of Labour S.O. No. 856 dated 27th February, 1984 the Lead Mining Industry to be a public utility service for a period of six months, from the 24th March, 1984 ;

And; whereas; the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months ;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 24th September, 1984.

[No. S-11017/4/81-D.I (A)(ii)]

S. H. S. IYER, Under Secy.

New Delhi, the 12th September, 1984

S.O. 3132.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Dharmahand Colliery of Messrs Bharat Coking Coal Limited and their workmen which was received by the Central Government on the 4th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 76 of 1982

In the matter of Industrial Disputes under S. 10(1)(d) of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of Dharmaband Colliery of Messrs Bharat Coking Coal Limited, Post Office Malkera, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers—Shri G. Prasad, Advocate.
On behalf of the workmen—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

STATE : Bihar

INDUSTRY : Coal

Dated, Dhanbad, the 29th August; 1984

AWARD

The Government of India in the Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947, has referred the following dispute to this Tribunal for adjudication under Order No. L-20012(99)/82-D.III (A), dated, the 13th July; 1982.

SCHEDULE

"Whether the demand of the workmen of Dharmaband Colliery of Messrs Bharat Coking Coal Limited, Post Office Malkera, District Dhanbad, for regularisation of the casual workers mentioned in the Annexure below as wagon loaders is justified ? If so, to what relief/benefits are these workmen entitled ?"

ANNEXURE

Sl. No. S/Smt.

1. Pemola Rajwarin.
2. Sugia Rajwarin.
3. Ch. Sakh nabibi.
4. Gariman Sakhinabibi.
5. Sarifa Bibi.
6. Ch. Janab Bibi.
7. Hemla Mohlin.
8. Parbati Mohlin.
9. Kamli Mohlin.
10. Mangroo Mahatain.
11. Radha Mahatain.
12. Purni Mahatain.
13. Manua Mahatain.
14. Paranpati Mahatain.
15. Gungrai Mahatain.
16. Aklai Mahatain.
17. Sonia Chatwarin.
18. Sabitari Chatwarin.
19. Bilo Chatwarin.
20. B lsi Chatwarin.
21. Bhadu Chatwarin.
22. Chandwa Urang.
23. 2 No. Maina Manjhian.
24. Akas Mani Manjhian.
25. Bahamari Manjhian.
26. Karmi Manjhian.
27. Chandmani Manjhian.
28. Ch. K stoman Manjhian.
29. Br. Kistomani Manjhian.
30. Br. Kazori Manjhian.
31. Sh. Kazori Manjhian.
32. Basmi Manjhian.

33. Ch. Fulmani Manjhian.
34. Rupa Manjhian.
35. Ch. Lilmani Manjhian.
36. Maiku Manjhian.
37. Br. Jhumri Manjhian.
38. Raimani Rewani.
39. Lukhri Rewani.
40. Sonia Rewani.
41. Jamuni Rewani.
42. Karmi Rewani.
43. Gouridebi Rewani.
44. Kusmi Chamrin.
45. Maina Chamrin.
46. Kesri Chamrin.
47. Rudia Chamrin.
48. Mundri Chamrin.
49. Samali Manjhian.
50. Lugu Manjhian.
51. 3 No. Maina Maujhian.
52. Rani Rajwarin.
53. Sinduwa Rajwarin.
54. Husi Mandal.
55. Parbati Ghatwarin.
56. Bhabni Ghatwarin.
57. Shanti Rewarin.
58. Amna Khatun.
59. Radhia Mohlin.
60. Makru Rewani.
61. Sukarmani Manjhian.
62. Tilki Chamarin.
63. Dulari Chatwarin.
64. Sabratan Bibi.
65. Sagtoria Ghatwalin.
66. Badmi Chamr.
67. Sudamia Chamarin.
68. Dhani Manjhian.
69. Rudan Man.
70. Dulali Mahalian.

The case of the workmen is that the concerned 70 workmen were working as Wagon loaders in Dharmaband Colliery continuously since before the nationalisation of the Collieries against permanent vacancies. They were all performing the permanent nature of job of Wagon loading as loading of coal in the colliery is a permanent nature of job. As per provisions of the Standing Orders of the Company all the concerned workmen have already acquired the status of permanent workmen. The concerned workmen and the union represented before the management several times for regularisation of the concerned workmen but without any effect. Thereafter the union raised an industrial dispute before the ALC (C), Dhanbad. During the conciliation proceeding the management agreed to regularise all the concerned workmen provided they voluntarily resigned from service for employment of their male dependents. The conciliation proceeding ended in failure as it was not possible to accept the said illegal decision of the management as the offer was discriminatory and an attempt to remove all female workmen and was against the provisions of the Standing Orders. On failure report being submitted to the Government of India a reference has been made for adjudication of the dispute to this Tribunal. The management with an ulterior motive to remove all the concerned female workmen as per their policy decision designated them as casual in violation of the provisions of the Standing Orders which has a statutory force. All the concerned workmen are active members of Bihar Colliery Kamgar Union against which the management is biased. The action of the management in not regularising the concerned workmen w.e.f. 1-5-72 was illegal, arbitrary and against the principles of natural justice. The demand of the concerned workmen is that they should be regularised w.e.f. 1-5-72 with all consequential benefits.

The case of the management is that the concerned workmen are casual workmen which cannot be challenged by them. The concerned workmen are all women and they were employed for some unexpected and unforeseen work

of loading of coal into wagons which were not likely to last continuously. They were casually employed for loading coal into wagons but the supply of Railway wagon is very irregular and uncertain and the supply of the wagon is not in the hands of the management of the Colliery. They were employed casually for loading coal in wagon to meet peak requirement or shortage of man power due to excess absenteeism etc. They are not required to work at recurring times and they have only a chance of employment based on no contact to employ although there is reasonable expectation of their being employed at regular intervals. The management has nucleus of permanent labour force of wagon loaders which is in excess of its requirement and there is no scope for the employment of any more regular wagon loaders. The casual wagon loaders are employed till the duration of loading coal on a particular day and their employment goes to an end at the end of the shift for which they are employed. The concerned workmen are chance employees having no right of employment and their non employment cannot be a foundation of an industrial dispute. They do not hold the post against any permanent post and as such they cannot be regularised. It is within the managerial discretion of the management to organise and arrange his business in the manner he considers best and it is for the management to decide the strength of his labour force to efficiently carry out the working of its undertaking. The present strength of permanent wagon loaders do not require any increase of their number. It is not the function of the Tribunal to go into the question whether the employment of such workmen who are chance employees should be regularised. Under Section 46 of the Mines Act, 1952 female workers cannot be employed between 7 P.M. and 6 A.M. As wagons are supplied during such odd hours as well and so the employer cannot provide work to them during such prohibited hours. They cannot be provided with work within the prohibited hours like their male counter part with alternative employment. In view of the imposition of the Statutory ban under section 46 of the Mines Act, the management offered to employ one of the nominees of each of the concerned workmen who had put in 240 days or more attendance during each of the preceding three years as loaders on proper identification on the condition that the concerned workmen offers to retire or resigns in favour of her dependants but it was not accepted by the workmen concerned. The management is to introduce mechanical device to load coal into wagons and as such the demand for employment of a large number of workmen would automatically come to an end. The concerned workman had not made any demand with the management. The demand of the workmen for their regularisation as wagon loader is not justified as they have been working as casual wagon loaders as and when required.

The only question to be determined in this case is whether the concerned workmen are entitled for regularisation as wagon loaders.

The workmen did not examine any witness but the management examined one witness in support of their case. However, the concerned workmen have exhibited three documents in support of their case and the management has also exhibited six documents in support of their case.

Admittedly, the concerned workmen are working as loaders since the erstwhile management. MW-1 Shri M. C. Yadav is working as Sr. Personnel Officer of the management in Dharmaband Colliery since March, 1976. He has stated that the concerned workmen are casual wagon loaders and that they had not been appointed permanently and were never put on probation. In his cross-examination he has stated that the concerned workmen were workmen of the erstwhile management who were taken over by the present management as such it is clear that the concerned workmen are working as loaders since before the nationalisation of the Coal Mines. It appears from the evidence of MW-1 that 58 of the concerned workmen were regularised as loaders since 1-1-81 and that 9 of the concerned workmen were regularised w.e.f. 1-1-82 out of the total strength of 70 concerned workmen. He has further stated that two of the concerned workmen have not been regularised. It will appear from his evidence that those workmen who have completed more than 240 days attendance in a year were regularised in the subsequent year and that as the two of the concerned workmen did not complete 240 days attendance in a Calendar year, they were not regularised.

He has exhibited Ext.M-1 and Ext. M-2 from which the names of the concerned workmen who were regularised from 1-1-81 and 1-1-82 will appear. It will further show that only Radhia Mahalin and Tilki Chamarin who are Sl. No. 59 and Sl. No. 62 in the annexure to the schedule of the reference were not regularised as they had not completed 240 days attendance during the period under reference. The position, therefore now is that out of the 70 concerned workmen 1 to 58 of the annexure to the schedule of the reference have been regularised w.e.f. 1-1-81; Sl. No. 60 to 61 and 63 to 70 have been regularised w.e.f. 1-1-82 and that only Sl. No. 59 Radhia Mahalin and Sl.No.62 Tilki Chamarin have not been regularised. Whatever objection had been raised in the W.S. of the management have automatically been waived in view of the fact that they accepted the principle of regularisation of the so called loaders. It is submitted on behalf of the management that the concerned workmen are all casual loaders and that they cannot be regularised. The reasons given in non regularising are (1) That supply of wagon is irregular and as such the concerned workmen cannot be regularised. (2) There are already permanent wagon loaders and there is no need of further increasing the number of permanent loaders. (3) The concerned workmen are female who cannot be employed in the night when wagons may be supplied in the night. The first question to be decided in this connection is whether the job of loading of coal is a job of permanent nature or casual nature. The management has however, coincided in para 5 of their rejoinder that loading coal into wagon is a job of permanent nature. MW-1 has stated that all the coal extracted from the mine is despatched through wagon which is manually loaded. He has further stated tat the main function of the colliery is to mine coal and to despatch it for sale. It will thus be clear that the loading of coal in wagon is a job of permanent nature in which the concerned workmen are employed. A permanent workmen as defined in Model Standing Orders for industrial establishment in the coal mines means a workman who is appointed for an unlimited period or who has satisfactorily put in three months continuous service in a permanent post as a probation. The management has not produced any certified standing orders of the management and as such Model Standing Orders of an industrial establishment in Coal Mines has to apply. Having this definition of permanent workman in view it will appear that the concerned workmen were appointed since the time of erstwhile management and their employment was continuing for an unlimited period and as such the job of the concerned workmen is covered under definition of permanent workman although the management had designated them as Casual loaders. They were engaged in permanent nature of work throughout the year which was going to last for all the times because when coal is mined it has to be despatched by loading and these loaders are necessary to load coal. The concerned workmen being engaged on a work of permanent nature which lasts throughout the year and have put in their work since the time of the erstwhile management, are deemed to be permanent workmen. It has not been stated by the management that the workmen were engaged to fill in the temporary need of extra hands on permanent jobs.

Although it is stated in the W. S. of the management that they had sufficient number of permanent loaders and as they did not require any more permanent loaders they were unable to regularise the concerned workmen. It will appear from the evidence of MW-1 that there were about 15 permanent wagon loaders in the mines prior to 1980 and that they were made permanent in accordance with the settlement made in an Award. It is submitted on behalf of the workmen that these 15 loaders were made permanent through settlement only in the year 1980 and that previously no loader had been made permanent. The contention raised on behalf of the management that there were already sufficient number of permanent loaders and there was no need of further regularising the casual loaders is falsified by their poor case when it is accepted that these 70 concerned workmen were working as loaders since before the time of erstwhile management. The management has not produced any document to show as to how many permanent loaders were in the employment of the management prior to 1980 and as such the contention raised on behalf of the workmen appears to be true that formerly there were no permanent loaders prior to 1980. The management require the services of all these 70 concerned workmen since long and as the nature of job was of a permanent nature, they deserve to be regularised.

Admittedly, the concerned workmen are all female but the management was taking their services since the nationalisation and now their case cannot be discriminated on the ground of sex. As the position now stands, the management has already regularised 68 of the concerned workmen and it is apparent that they have waived the said objections of regularisation of the concerned workmen on the ground of sex.

So far the two other concerned workmen who have not been regularised is concerned, the management has tried to distinguish their case by stating that they had not completed attendance of 240 days in a Calendar year but it is admitted by MW-1 and also in the W.S. of the management that they were also working as loaders since the time of the erstwhile management. The attendance register is maintained by the management. In order to show that Radhia Mahalin and Tilki Chamarin had not completed 240 days attendance in a Calendar year, it was imperative on the part of the management to produce attendance register in support of their contention. The non production of the attendance register has to be taken adversely against the management and as those two concerned workmen were also working as loaders since the time of the erstwhile management I see no reason as to why they should not be regularised. The principle of regularising the workmen on attendance of 240 days in a Calendar year is not a legal criteria for regularising casual workmen in any statute or standing orders. In view of the above I hold that the two other concerned workmen also are entitled to be regularised as loaders with effect from the date from which the other concerned workmen have been regularised. The concerned workmen claim to be regularised w.e.f. 1-5-72, the date from which the Coal mines were nationalised. It has been held in SCLJ Vol. 5 at page 3067 that no retrospective effect can be given to an award for any period prior to the date which the specific demands which resulted in the industrial dispute were made. It is nowhere stated in the W.S. of the concerned workmen as to when they had first demanded for their regularisation with the management. The workmen have examined no witness and as such it is not specifically stated as to when the demand for regularisation was first made with the management. Ext. M-6 is a letter dated 8-1-82 written by Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union to the ALC (C), Dhanbad regarding the illegal denial of regularisation of the concerned workmen as permanent workmen. It will be clear from this that the concerned workmen had already put in attendance for more than 240 days in the year 1980. In para 5 it is stated that the dispute was raised early on, 29-9-81. Thus even if the letter of the Secretary of Bihar Colliery Kamgar Union who is representing the concerned workmen, it will appear that the dispute was raised earlier on 29-9-81. In this letter also no earlier date is stated when the demand was earlier made. In Ext. W-3 which is also a letter to the ALC (C) from the Secretary Bihar Colliery Kamgar Union it will appear that as per management's own earlier decision all the concerned workmen have acquired permanent status in the year 1980. In none of these two letters and Fxt. M-6 the workmen stated that they had raised their dispute of regularisation before the management in the year 1972. It is clear, therefore that no demand was made earlier than 1981 and as such in accordance with the principles laid down in SCLJ-Vol. 5 cited above, the concerned workmen cannot claim to be regularised prior to the date on which the specific demand which resulted in the industrial dispute were made. The concerned workmen, therefore, can claim to be regularised only since 1-1-81.

In view of the facts, evidence and circumstances of the case discussed above I hold that the demand of the workmen of Dharmaband Colliery for regularisation of the concerned workmen as Wagon Loaders is justified I further hold that all the concerned workmen are entitled to be regularised since 1-1-1981 and they should get all the privileges of a permanent employee since 1-1-81.

I. N. SINHA, Presiding Officer
[No. L-20012(99)/82-D.III (A)]
A. V. S. SARMA, Desk Officer

नई दिल्ली, 12 सितम्बर, 1984

का०आ० 3133.—केन्द्रीय सरकार, लोह अयस्क खान तथा मैग्नीज अयस्क खान और कोम अयस्क खान श्रम कल्याण निधि अधिनियम, 1976 (1976 का 61) की घारा 2 के

खण्ड (छ) के उपखण्ड (ii) के अनुमति में तथा पहली अक्षुवर, 1983 को का०आ० 3707 के द्वारा भारत के राजपत्र के भाग II, खण्ड 3, उपखण्ड (ii) में प्रकाशित इस मंत्रालय की व्यधिमूचना के क्रम में, जीवे अनुसूची में सम्मिलित कारबानों को, उक्त अधिनियम तथा लोह अयस्क खान और मैग्नीज अयस्क खान तथा कोम अयस्क खान श्रम कल्याण उपकर अधिनियम, 1976 (1976 का 55) के प्रयोजनों के लिये धारुकर्मीय कारबाने घोषित करती है, अर्थात् :—

अनुसूची

1. संज आयरन हंडिया लि०,
डाकघर सील कैम्पस-507154
जिला खंभाम (आ० प्र०)
2. ए०बी०एम० एण्ड मैटल एलायज़,
डी-1, इंडस्ट्रियल इस्टेट, सागर रोड,
शिमोगा-577201,
कर्नाटक राज्य।
3. नवा कर्नाटक स्टील्स लि०,
पोस्ट बाक्स सं० 46,
वेलेरी-583101, कर्नाटक राज्य।
4. विज्ञान इंडस्ट्रीज लि०,
पोस्ट बाक्स सं० 4,
बी०एच० रोड, तारीकेरे-577228,
कर्नाटक राज्य
5. बागलकोट उद्योग लि०,
बागलकोट-587111,
जिला बीजापुर, कर्नाटक राज्य।
6. मैसर्स जीप इंडस्ट्रियल सिष्टीकेट लि०,
बेलगोला इंडस्ट्रियल एरिया,
मेटागली, मैसूर-570016

[फाइल सं० एम-23021/2/80-एम-4/डब्ल्यू-II]

New Delhi, the 12th September, 1984

S.O. 3133.—In pursuance of sub-clause (ii) of clause (g) of section 2 of the Iron Ore Mines and Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976 (61 of 1976), and in continuation of this Ministry's Notification published in Part II Section 3 Sub-section (ii) Gazette of India vide S.O. No. 3707, on 1st October, 1983, the Central Government hereby declares the factories included in the Schedule below to be metallurgical factories for the purposes of the said Act and the Iron Ore Mines and Manganese Ore Mines and Chrome Ore Mines Labour Welfare Cess Act, 1976 (55 of 1976), namely :—

SCHEDULE

1. Sponge Iron India Ltd.,
P.O. Sill Campus-507154
Khamam Dist. (AP).
2. ABM & Metal Alloys
D-1, Industrial Estate,
Sagar Road,
Shimoga-577201,
Karnataka State.

3. Nava Karnataka Steels Ltd.,
P.B. No. 46,
Bellary-583101,
Karnataka State.
4. Vigyan Industries Ltd.,
P.B. No. 4,
B. H. Road,
Talukere-577228,
(Karnataka State)
5. Bagalkot Udyog Ltd.,
Bagalkot-587111,
D. stt. Bijapur,
(Karnataka State).
6. M/s. Jeep Industrial Syndicate Ltd.,
Belagola Industrial Area,
Metagalli Mysore-570015.

[F. No. S-23021/2/80-MIV/W.II]

नई दिल्ली, 14 सितम्बर, 1984

का०आ० 3134.—बीड़ी कर्मकार कल्याण निधि नियम, 1978 के नियम 3 के उपनियम (2) के साथ पठित बीड़ी कर्मकार कल्याण निधि अधिनियम, 1976 (1976 का 62) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार बिहार राज्य के लिए एक सलाहकार समिति गठित करती है, जिसमें निम्नलिखित व्यक्ति शामिल होंगे, अर्थात् :—

- | | |
|--|---------------------------|
| 1. श्रम मंत्री, | अध्यक्ष |
| बिहार सरकार, पटना। | |
| 2. कल्याण आयुक्त, | उपाध्यक्ष, पदेन |
| डाकघर सुमित्रिलैश्या,
जिला हजारीबाग, कर्मा
बिहार। | |
| 3. श्रमायुवत, बिहार, पटना | पदेन, सदस्य |
| 4. श्री विश्व मोहन शर्मा,
विधान सभा सदस्य,
गाँव उपाध्याय टोला,
डाकघर कुमार बाग, पश्चिमी चंपारन। | ग.स्य |
| 5. प्रबन्ध निदेशक
मैसर्स एस०क० नसरुदीन,
बीड़ी मर्चेट लि०,
बिहार शरोफ, नालन्दा। | नियोजकों के
प्रतिनिधि |
| 6. श्री असित कुमार बिस्वाम,
सेक्रेटरी, चक्रधरपुर बोडी
एंड तम्बाकू मर्चेट एसोसिएशन,
चक्रधरपुर (मिहूम)। | नियोजकों के
प्र. च०न०ध |
| 7. श्री कृष्ण चन्द्र चौधरी,
बिहार स्टेट बीड़ी मजदूर
फेडरेशन, गाँव राजपुर चौक,
रोहतास। | कर्मचारियों के
सदस्य |

8. अयोध्या प्रसाद भगत,
बीड़ी, मजदूर संघ,
पाकुड़ बीड़ी मजदूर संघ,
पाकुड़ (सहिवांग)।
9. श्रीमती प्रेम लता राय,
भूतपूर्व विधायक सभा सदस्य एवं मंत्री,
हजारीपुर (बैंशाली)।
10. कल्याण प्रशासक,
कर्मा, बिहार।

2. केन्द्रीय सरकार उक्त नियमों के नियम 16 के अधीन कर्मा को उक्त सलाहकार समिति का भुज्यालय नियत करती है।

[फा०सं० य०-19012/2/84-उख्य०-II]
कवर राजेन्द्र सिंह, अवर सचिव

New Delhi, the 14th September, 1984

S.O.3134.—In exercise of the powers conferred by section 5 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976) read with sub-rule (2) of rule 3 of the Beedi Workers Welfare Fund Rules, 1978, the Central Government hereby constitutes an Advisory Committee for the State of Bihar consisting of following members, namely :—

- | | |
|---|-------------------------------|
| 1. Labour Minister,
Government of Bihar,
Patna. | Chairman |
| 2. Welfare Commissioner
P.O. Jhumritelaiya,
District Hazaribagh,
Karma, Bihar. | Vice-Chairman,,
Ex-officio |
| 3. Labour Commissioner,
Bihar, Patna. | Member |
| 4. Shri Vishwa Mohan Sharma,
M.L.A.,
Village Uppadhyay Tola,
P.O. Kumar Bagh, West Champaran | Member |
| 5. Managing Director,
M/s. S.K. Nasiruddin, Bidi
Merchant Limited,
Bihar Sharif, Nalanda.
6. Shri Asit Kumar Biswas,
Secretary,
Chakradharpur Bidi and Tobacco
Merchant Association,
Chakradharpur, (Singhbhum) | Employers'
representatives |
| 7. Shri Krishna Chandra Chowdhury,
President,
Bihar State Bidi Mazdoor
Federation, Village Rajpur
Chowk, Rohtas
8. Shri Ayubhai Prasad Bhagat,
President,
Pakur Bidi Mazdoor Sangh,
Pakur, Sahibganj. | |
| 9. Smt. Prem Lata Rai,
Ex-M.L.A, and Minister,
Hazaripur (Vaishali).
10. Welfare Administrator,
Karma, Bihar. | Employees'
representatives |
| | Woman member |
| | Secretary |

2. Under rule 16 of the said rules the Central Government hereby fix its Karma as the headquarters of the said Advisory Committee.

[F. No. U-19012/2/84-W. II]
KANWAR RAJINDER SINGH, Under Secy.

नई दिल्ली, 14 सितम्बर, 1984

आदेश

का०आ० 3135.—राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 8 के उल्लंघनम् (4) में दी गई शक्ति का प्रयोग करते हुए केन्द्रीय मंत्रालय, कर्मचारी राज्य बीमा निगम के क्षेत्रीय कार्यालय, जयपुर, राजस्थान को ऐसा अधिसूचित कार्यालय विनिर्दिष्ट करती है जिसके बे कर्मचारी जिन्हें हिन्दी में प्रवीणता प्राप्त है 15 सितम्बर, 1984 से मंलग्न अनुसूची में विनिर्दिष्ट सभी सरकारी काम काज में टिप्पण, प्राप्तवण और अन्य सभी शासकीय प्रयोजनों के लिए केवल हिन्दी का प्रयोग करें।

2. इस आदेश का यह अर्थ नहीं किया जाएगा कि जहाँ राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 या किसी अन्य विधि के अधीन किसी अन्य भाषा का प्रयोग करना आवश्यक या अपेक्षित है वहाँ उम्मीद भाषा का उक्त अधिसूचित कर्मचारी राज्य बीमा निगम के क्षेत्रीय कार्यालय राजस्थान के सरकारी काम काज में प्रयोग नहीं किया जायेगा।

[सं० ई-11012/1/83-एच जाई]
चिन्ह ऑफिस, नवेशक

अनुसूची

(क) प्रशासन शाखा :

1. वेतन बिल इसमें संबंधित सभी कार्य।
2. सभी प्रकार के अग्रिम बिल।
3. स्थानीय कार्यालय का आपात खाते से धन अंतरण।
4. टेंडर कार्फ भेजना।
5. सप्लाई के ज्ञापन जारी करना।
6. चिकित्सा प्रतिपूर्ति बिलों की डायरी करना।
7. बिलों पर पे आईर करना।
8. चिकित्सा प्रतिपूर्ति बिलों को फाइल पर प्रस्तुत करना।
9. रजिस्टरो में संबंधित प्रविष्टियाँ।
10. चिकित्सा प्रतिपूर्ति स्वीकृत बिल बनाना।
11. सभी कर्मचारियों के पत्र व्यवहार।
12. समस्त यात्रा/छुट्टी यात्रा रियायत के लिये यात्रा अग्रिम बिल बनाना।
13. यात्रा भत्ता बिलों को जांच तथा स्वीकृति के लिये भर्त्ता नोटिस।
14. यात्राओं के संबंध में पत्र व्यवहार।
15. समस्त यात्रा बिलों का रिकार्ड रखना।

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16. अर्जित छुट्टी व आकास्मिक छुट्टी संबंधी सभी कार्य।
17. दौरा कार्यक्रम की मंजूरी, अग्रिम की मंजरी संबंधी सभी कार्य।
18. छुट्टी के बदले नकद भुगतान/छुट्टी यात्रा रियायत संबंधी सभी कार्य।
19. भविष्य निधि अग्रिम संबंधी सभी कार्य।
20. रौप्यालय अग्रिम संबंधी सभी कार्य।
21. साइकिल अग्रिम संबंधी सभी कार्य।
22. स्थानान्तरण/नियुक्ति आदेश जारी करना।
23. परियोक्षा अवधि संबंधी आदेश।
24. हिन्दी में प्राप्त पत्रों के उत्तर।
25. सेवा पुस्तकालों में प्रविष्टियाँ।
26. सभी रजिस्टरों में प्रविष्टियाँ।
27. सभी विवरणियाँ।
28. स्थानीय समिति व क्षेत्रीय बोर्ड संबंधी सभी कार्य।
29. वर्दियों की निविदायें, सप्लाई आईर आदि से संबंधित कार्य।
30. गर्भ व सर्द मौसम से संबंधित सभी कार्य।
31. भवन किराये पर लेने से संबंधित सभी कार्य।
32. टेलीफोन/ट्रक काम संबंधी सभी कार्य।
33. पानी/बिलों के बिल संबंधी सभी कार्य।

(ख) बीमा शाखा-1 :

1. बीमाकृत व्यक्तियों को वहिष्कृत करना।
2. बीमाकृत व्यक्तियों को पुनः हक्काल बनाना।
3. अंशदान कार्ड स्थानीय कार्यालय में भेजना।
4. 103-क शाखा तथा नकद अंशदान, प्रणाली से संबंधित पत्राचार तथा टिप्पणियाँ।

(ग) बीमा शाखा-2 :

1. चिकित्सा बोर्ड मामले की दर निकालना।
2. स्थायी अपंगता हितलाभ कार्ड भरना।
3. छह माह से अधिक में अनिष्टित मामलों का विवरण।
4. चिकित्सा बोर्ड के निर्णय भेजना।
5. दुर्घटना प्रकरण से संबंधित सभी पत्र भेजना।
6. बीमारी दुर्घटना उच्च आयोग से संबंधित पत्र भेजना।
7. एक मुश्त राशि का निर्णय व प्रपत्र-VII भेजना।
8. मासिक प्रगति रिपोर्ट व समस्त विवरणियाँ।
9. मृत्यु केस से संबंधित समस्त पत्राचार तथा मृत्यु केस की स्वीकृति।
10. नोटस भेजना।
11. प्रपत्र-VIII भेजना।
12. आश्रितजन हितलाभ की दरों का निर्णय तथा संशोधित दरों का निर्णय।

13. चिकित्सा बोर्ड केस बनाना।
14. डॉक्टरों के चिकित्सा बोर्ड बिल।
15. बैंकलिपक प्रमाण प्रकरण का फॉर्म।
16. शिक्षायत पत्रों का उत्तर।
17. विस्तारित बीमारी हितनाभ की स्वीकृति।
18. अन्येष्टि हितनाभ, प्रसूति हितनाभ तथा परिवारनियोजन से संबंधित सभी मामले।
19. एसिक-48 के अंतर्गत स्वीकृत मामलों की खुचना।
20. चिकित्सा अधिकारों के हस्ताक्षरों का सत्यापन कार्य।
21. अन्तर्क्षेत्रीय अन्तरण मामले।
22. शास्त्र डायरी, वैनिक डायरी वा समस्त रजिस्टरों में प्रविष्टियाँ।
23. अनुस्मारक व अर्ध-सरकारी पत्र।
24. लेखा परिक्षा की आपत्तियों का निपटान।

(ब) बीमा शाखा-3 :

1. समीक्षा पत्र।
2. नोटिस (जुर्माना)
3. व्याप्ति पत्र (फार्म सी-II)
4. फार्म सी-2
5. फार्म सी-3
6. फार्म सी-7
7. निरीक्षण प्रतिवेदन फार्म सी-10 (ख)।
8. अनुस्मारक बीमा निरीक्षक।
9. अनुस्मारक प्रबन्धक।
10. अनुस्मारक जिलाधीश।
11. सी-18
12. आदेश 45(ए)
13. सी-19
14. डी-19
15. व्याज पत्र।
16. नोटिस (रिकार्ड पेश नहीं करने पर)
17. नोटिस (अंतिम व्याप्ति निर्धारण के संबंध में रिकार्ड पेश करने के लिये)
18. अनोपचारिक टिप्पणी लेखा शाखा।
19. अनोपचारिक टिप्पणी विधि शाखा।
20. मासिक भाग पत्र।
21. पावती पत्र।
22. मौग पत्र वापिसी पत्र।
23. जुर्माने का बेताबनी पत्र।

24. कर्मचारी राज्य बीमा योजना से छृट वे बारे में अधिसूचना

(च) वित्त एवं लेखा शाखा :

1. मासिक प्रगति रिपोर्ट।
2. रोकड़ बही खाता नं० १ में प्रविष्टियाँ।
3. रोकड़ बही खाता नं० २ में प्रविष्टियाँ।
4. चैक लिफ्ट बा।
5. चैक का प्रेषण पत्र।
6. बिलों पर मंजूरी।
7. बिलों में पाई जाने वाली कमियों के संबंध में सूचना।
8. बैंक के लिये प्राधिकारी पत्र।
9. प्रबंधक के स्थानांतरण की स्थिति में मामले पर कार्रवाई।
10. बीमाकृत व्यक्तियों को नकद भुगत न के संबंध में पाई जाने वाली गलती के बारे में प्रबंधक के साथ पदाचार।
11. अग्रिम राशि के संबंध में रजिस्टरों में प्रविष्टियाँ।

(छ) विधि शाखा

1. धारा 85(आई) (ई) (एफ) व (जी) के अंतर्गत कारण बताओ नोटिस।
2. धारा 85 के अंतर्गत कारण बताओ नोटिस।
3. अधीक्षक पुनिस को सम्मन आदि की तामील के लिये अ. स. पत्र।
4. प्रबंधकों का ज्ञापन।
5. अभिभावकों को देय शुल्क के प्रमाण-पत्र।
6. बकालत नामे तैयार करना।
7. न्यायालय की पक्षावली देखने के लिये प्रार्थना पत्र।
8. कुछ मामलों में जबाब दावे।

New Delhi, the 14th September, 1984

ORDER

S.O. 3135.—In exercise of the powers conferred by sub-rule (4) of rule 8 of the Official Language (Use for Official purposes of Union) Rules, 1976, the Central Government hereby specifies that the employees of the notified Regional Office of the Employees' State Insurance Corporation, Rajasthan who have obtained proficiency in Hindi, shall use Hindi alone in all official work for noting, drafting and all other official purposes specified in the Schedule annexed hereto with effect from the 15th September, 1984.

2. It shall not be construed from this Order that no other language will be used in the official work in the said notified Regional Office of the Employees' State Insurance Corporation, Rajasthan where it is necessary or essential under the Official Language (Use for Official purposes of the Union) Rule, 1976 or any other law.

[No. E-11012/1/83-HI]
CHITRA CHOPRA, Director

SCHEDULE

A. Admin. Branch

1. Pay bill and all work related to.
2. All kinds of Advance Bills.
3. Transfer of amount from emergency fund to Local Office.

4. Sending of Tender form.
5. Issue of supply Memo.
6. Disposing of Medical Reimbursement bills.
7. Pay order on bills.
8. Dealing with MRC Bills on file.
9. Related entries in Register.
10. Preparation of MRC sanction bill.
11. All correspondence with employees.
12. Preparing tour advance bills for all Tour/LTC.
13. Scrutiny of T.A. Bills and issue of all notices for sanction.
14. Correspondence regarding tours.
15. Maintenance of records of all T.A. Bills.
16. All work relating to EL and CL.
17. All work relating to sanction of tour programme/advances.
18. All work relating to Leave Encashment/LTC.
19. All work relating to PF Advance.
20. All work relating to Festival Advance.
21. All work relating to Cycle Advance.
22. Issue of Transfer/Appointment Orders.
23. Orders regarding Probation period.
24. Reply of letters received in Hindi.
25. Entries in Service Books.
26. Entries in all registers.
27. All returns.
28. All work relating to Local Committee and Regional Board.
29. All work relating to Tenders of uniform and supply orders.
30. All work relating to summer and winter season.
31. All work with regard to taking of building on rent.
32. All work relating to Telephone/Trunkcalls.
33. All work relating to water/electricity bills.

B. Insurance Branch-I.

1. Gearing of IPs.
2. Re-arrangement of JPs.
3. Sending of contribution Cards to local offices.
4. All correspondence and noting regarding 103-A Branch and Cash contribution system.

C. Insurance Branch-II.

1. Calculation of rate of MPs cases.
2. Filling up of PDB card.
3. Particulars of the cases pending for more than 6 months.
4. Sending of MB decisions.
5. Sending of all letters regarding accident case.
6. Issue of letter regarding high incidence of sickmen accident.
7. Sending of the decision and proforma VII of lump-sum amount.
8. Monthly Progress Reports and other returns.
9. Sanction of death case and all related correspondence.
10. Issue of notice.
11. Issue of proforma VIII.
12. Decision of rates of DB and the revised rates.
13. Preparation of MB case.
14. MB bills of Doctors.

15. Decision of alternative evidence case.
16. Reply of complaints.
17. Sanction of ESB.
18. All cases relating to General Benefit, Maternity Benefit and Family Planning.
19. Information of the cases sanctioned under ESIC-48.
20. Verification of signatures of Medical Officer.
21. Inter-regional transfer cases.
22. Entries in Branch Diary, Daily Diary and all other registers.
23. Reminders and D.D. letters.
24. Settlement of Audit objection.

D. Insurance Branch-III.

1. Scrutiny letters.
2. Notice (fine).
3. Coverage letter (Form C-II).
4. Form C-2.
5. Form C-3.
6. Form C-7.
7. Inspection Report Form C-10(B).
8. Reminders to Insurance Inspector.
9. Reminder to Manager.
10. Reminders to Distt. Magistrate.
11. C-18.
12. Order 45(a).
13. C-19.
14. D-19.
15. Interest letter.
16. Notice (non-production of records).
17. Notice (for producing of records to determine final coverage).
18. U.O. Note to Accounts Branch.
19. U.O. Note to Legal Branch.
20. Monthly Indent.
21. Acknowledgement.
22. Indent return letter.
23. Warning letter of fine.
24. Notification regarding exemption from ESI Scheme.

E-Finance and Account Branch

1. Monthly Progress Report.
2. Entries in Cash-Book Account No. 1.
3. Entries in Cash-Book Account No. 2.
4. Writing of cheques.
5. Forwarding letter of cheques.
6. Sanction of bills.
7. Information regarding deficiencies in the letters.
8. Authority letter for Bank.
9. Action in matter of transfer of Manager.
10. Correspondence with Manager regarding deficiencies found in cash payment to IPs.
11. Entries in registers regarding advance amount.

F. Legal Branch

1. Show cause notice u/s 85 (I) (E) (F) & (G).
2. Show cause notice u/s 85.
3. D.O. Letter to Superintendent of Police for serving of summon etc.

4. Memo to Managers
- 5 Certificate of fee payable to Guardians
- 6 Preparation of Power of Attorney
- 7 Application for going through the correspondence of the Court
- 8 Counter reply in certain matters

नई दिल्ली, 15 सितम्बर, 1984

का आ 3136 —उत्प्रवास अधिनियम, 1983
(1983 का 31) की धारा 5 के साथ पठित धारा 3
द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार,
श्रम विभाग के अध्यर सचिव, श्री रविंद्र मिश्र को 17-9-
1984 से अगले आदेश जारी होने तक उत्प्रवासी सरक्षी-I
बम्बई के सभी कार्य करने के लिए प्राधिकृत करती है।

[सच्चा प-22012/3/84-प्रमीलेण-II]

New Delhi the 15th September 1984

SO 3136—In exercise of the powers conferred by section 3 read with section 5 of the Emigration Act, 1983 (31 of 1983), the Central Government hereby authorises Shri R D Mishra Under Secretary, Department of Labour to perform all functions of Protector of Emigrants-I, Bombay, with effect from 17th September, 1984 till further orders

[F No A-22012/3/84-EMIG II]

का आ 3137 —उत्प्रवास अधिनियम, 1983 (1983 का 31) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री बी एस माणिक, सहायक, जो कि इस समय उत्प्रवास सरक्षी, बम्बई के दौरे पर है का उत्प्रवास सरक्षी की ओर से केवल ऐसे मामलों में पासपोर्ट पर 14-9-1984 से अगले आदेश जारी होने तक पृष्ठाकल हस्ताक्षर करने के लिए प्राधिकृत करती है जिनमें उत्प्रवास सरक्षी, बम्बई ने यथास्थिति अनुमति या स्थगन के आदेश दिए हो।

[स-ए-22012/3/84-प्रमीलेण-II]

आर नारायण स्वामी, उप-सचिव

SO 3137—In exercise of the powers conferred by Section 5 of the Emigration Act, 1983 (31 of 1983), the Central Government hereby authorises Shri B S Manik, Assistant presently on tour to the Office of Protector of Emigrants, Bombay, to sign the endorsements on Passports on behalf of the Protector of Emigrants ONLY in such cases where the Protector of Emigrants Bombay, has been approved clearance or passed orders for suspension as the case may be, with effect from 14-9-84 till further orders

[No A-22012/3/84-EMIG III]
R NARAYANASWAMI, Dy Secy

New Delhi, the 15th September, 1984

SO 3138—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Kanpur, in the industrial dispute between the employers in relation to the Grindlays Bank Limited, Kanpur and their workmen which was received by the Central Government on the 10th September, 1984

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

ID case No 36 of 1978 Old ID Case No 156 of 1984 New

PRESENT

Shri H B Srivastava, Presiding Officer

PARTIES

In the matter of an industrial dispute exist between the employers in relation to the management of Grindlays Bank Limited, Kanpur and their workmen in respect of the matters specified in the Schedule given below

APPEARANCES

On behalf of the workmen—Shri Mangal Vedkar

On behalf of the employers—Shri S S Sethi

DISTT Kanpur INDUSTRY Banking

Dated, the 31st August, 1984

AWARD

The Government of India, vide its Notification No F No-L-12012/127/77-D II A dated 20th March, 1979 referred the following matter of dispute to the Central Govt Industrial Tribunal-cum Labour Court, New Delhi which was later transferred to C.G.I.T., Kanpur for adjudication—

SCHEDULE

"Whether the action of the management of Grindlays Bank Limited, Kanpur in imposing the punishment of stoppage of increment for a period of 12 months w.e.f. of postponing all future increments by a period of 12 months of Shri Ramesh Chand Srivastava, Clerk, Kanpur branch of the bank is justified? If not, to what relief is the workman concerned entitled?"

On the averment of the parties the following Additional issues were framed—

- 1 "Whether dispute is an industrial dispute? Its effect?"
- 2 "Whether a dispute has been properly espoused? If not, its effect?"
- 3 As an order of reference?"
- 4 "Whether the enquiry is valid as alleged?"

ISSUE NO 1

The representative for the workman has argued that wording of the reference order dated 20-3-78 it shows that it is an individual dispute as in its first paragraph word 'workman' is whether and not workman

It is a matter of common knowledge that under the Industrial Disputes Act only individual dispute could be raised U/s 2-A and that too in case of a discharge, dismissal, termination or retrenchment of an individual workman, the word 'their' appearing before workman shows that it was mistake that word workman was typed out and the intention was to put a plural word after word 'their' i.e. workman

I therefore decide the issue against the management

ISSUE NO 2

On the point of proper espousal workman has examined W W 1 Secretary of U P Bank Employees' Union He has proved the resolution for sponsoring the case of workman Shri R C Srivastava It is correct that he could not identify same signature in Ex W 2 According to him S P Chaudhari of Grindlays Bank attended the meeting of 26th May, 1977

Sri M C Bajpai W W 2 in his affidavit dated 17-1-80 said that he was Secretary of Bank Employees Union on 26-5-77 and at that time all the members of management bank were members of his union

Workman filed Ex W 2 dated 22-6-76, whereby workmen of management Bank Staff under their name and signature moved the sponsoring union to take up the matter with the

Govt. which according to W.W.1 resulted in espousal. The employer did not believe that persons signing Ex. W-2 were not the signatures of employees of his Bank where a workman is represented by a union of the workmen the employer or a large portion thereof and the employer alleges that the union did not represent the majority of workmen or a large portion thereof then in the first instance it would be for the employer to prove the same as laid down in :

"Express Newspaper (P) Ltd., V.L.C. 1959-I-LLJ-p-600". When members of the bank are member of the espousing union who moved the union and union in its turn raised the dispute in conciliation which on failure—the Government referred to Labour Court, the espousal is proper and reference is competent.

In Sadhu Ram v. D.T.C. 1983 II-LLJ-P. 383 it was held :

"There was conciliation proceeding, the conciliation had failed and the Conciliation Officer had so reported to the government, the government was justified in thinking that there was industrial dispute and referring it to Labour Court." The issue is decided against the management.

ISSUE NO. 4 :

Charge Ex. M-2 dated 3-1-76 speaks of riotous and disorderly behaviour in banking hall and lack of proper courtesy towards a customer, use of abusive language for him and attempt of physical assault before Officer-Incharge.

The complaint in writing made by the customer in question was made available to workman on 26-3-76 on his request but the customer never appeared before the employers officer to substantiate his complaint.

Sri Balram Singh is the Officer Incharge Savings Bank in the Grindlays Bank, Kanpur. In the charge-sheet issued by Sri Bal Ram Singh Ex. M-2 it is mentioned "that the customer came inside to the Officer Incharge to express his grievance you once again shouted and abused him and even then attempted physically to assault him. Para 19.11 of the bipartite settlement between Bank's and their workmen of 12th Oct. '70 lays down that where it is decided to take a disciplinary action against an employee such decision shall be communicated within three days thereof. In the instant case, the complaint was made as early as on 17-12-75 and the alleged charge-sheet was given on 1-1-76 to the workman. The complaint in writing by the customer was made 2 days later on 29-12-75 vide Ex. M-1, the procedure is given in Para 19.12 said that Sri Bal Ram Singh who issued the chargesheet has also appeared as a management witness. The Enquiry Officer in his report has written from a perusal of the proceedings there appears to be no reason to believe that the evidence given by Sri Bal Ram Singh is anything but true and correct, in facts and substance the contradictions pointed out are of insignificant nature. Sri Bal Ram Singh management's witness deposed before the Enquiry Officer that after having the loud discussions between customer and the workman he got up from the seat and called customer to come to his seat. Meanwhile, workman also arrived there and there were heated words and customer was pushed out and a scuffle was there. He was not able to remember actually what discussion took place, but he heard the customer saying that bank employees should not behave in such a way to the customer, to which the workman replied "bebut say alesy kastomer aye hai." The witness has not mentioned as to who initiated the scuffle. He was also not able to say as to who initiated discussions. When enquired as to what the witness saw and heard the witness said that there was a loud scuffle between the two. He further said that he could not hear because he was on his seat. So the witness has no direct knowledge as to what transpired at the seat of the workman. The witness has admitted that the customer was annoyed. He later stated that in a remark by Ramesh scuffle in between the two ensued which came to insulting and beating. He remembers that the workman Ramesh Chandra said that "bahut sev dekhay hai Aisey aur khopdi ghum javegi". He later stated that the blows were exchanged between both the parties and atleast one or two blows were exchanged. When confronted with the chargesheet the witness admitted that he had not used the word in the chargesheet that some scuffle took place before him. Chargesheet Ex. M-2 simply reads that an attempt for physical assault made before him in the chargesheet, besides the word shouting. He has stated that the workman abused the customer before him. In his statement before the Enquiry Officer he

has not stated that the workman abused the customer before him. All this shows that for the reason best known to him the Officer Incharge Sri Bal Ram Singh who issued the chargesheet has not confined to what transpired before him as mentioned in the chargesheet, but has improved upon that statement and has stated that actually physical scuffle took place before him.

In view of these contradictions it was not safe to rely on the testimony of Sri Bal Ram Singh in the absence of complainant who would have been the best witness of the incident. Thus the enquiry report appears to be biased and cannot be said be valid and fair.

ISSUE NO. 3 :

In the circumstances the employers would be entitled to substantiate the charges before this Court, had they stated at the earliest opportunity that in case enquiry is vitiated they reserve the right to prove the charges before the Court? The proceedings in this Court initiated an early as on 4-4-78 and no such application was made prior to 10-11-80. In Shambhu Nath Goel Vs. Bank of Baroda 1983, L.I.C. page-169 as has been held that "managerial right to adduce additional evidence to substantiate the charge available only if the application and request made at the earliest stage without delay. In the instant case the proceedings started as early as in 1978 and it would be unjust to permit the employers to substantiate the charge now after a lapse of more than six years.

I, accordingly, hold that the employer's failed to substantiate the charge and as a result the employee is entitled to his full increment and balance money due.

In the circumstances I give the award that the action of the management of M/s. Grindlays Bank, Kanpur in imposing punishment of stoppage of increment for a period of 12 months i.e. the postponing of future increment for a period of 12 months of workman, R. C. Srivastava, Clerk, Kanpur Branch is not justified and he is entitled to all back increments withheld and to recover the balance amount due.

R. B. SRIVASTAVA, Presiding Officer
[No. I-12012/127/77-D.II(A)/D.IV(A)]

S.O. 3139.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to Messrs American Express International Banking Corporation, Calcutta and their workmen, which was received by the Central Government on the 3rd September, 1984.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 32 of 1981

PARTIES :

Employers in relation to the management of M/s. American Express International Banking Corporation, Calcutta;

AND

Their Workmen.

PRESENT :

Mr. Justice M. P. Singh—Presiding Officer.

APPEARANCES :

On behalf of management—Mr. R. N. Banerjee, Advocate

On behalf of Workmen—Nobody appears.

STATE : West Bengal.

INDUSTRY : Banking.

AWARD

By Order No. L-12012/24/74-D.II.A dated 30th July, 1981 the Government of India, Ministry of Labour referred the following dispute to this Tribunal for adjudication :—

"Whether the action of the management of Messrs American Express International Banking Corporation in terminating the services of S/Shri Mohit Mohan De, Dilip Kumar Sengupta, Jayan Ranjan Sarkar, Achinta Ranjan Roy Mitra and Dilip Kumar Sett with effect from 1-1-74 is justified ? If not, to what relief are the workmen concerned entitled?"

2. Before I deal with the merits of the case I would like to say that this case has been heard exparte. The reference is under section 2A read with section 10(1)(d) of the Industrial Disputes Act, 1947 at the instance of the 5 individuals named in the reference and not at the instance of the union. Out of the five individuals only 2, namely, Mohit Mohan De and Dilip Kumar Sengupta filed written statement other three did not even file written statement. One of them, namely Jayan Ranjan Sarkar rather filed a petition before this Tribunal that he will not contest the case. In fact none of them has contested it. None of them appeared before this Tribunal to adduce any evidence in support of their case that their termination was illegal and unjustified. The management of the American Express International Banking Corporation has examined one witness, MW-1, N. S. Nathan. His evidence is that none of the employees completed 240 days work in any year. The case of the management in brief is that in about 1970, an agreement was reached between the Bank and the American Express Employees' union that the leave should form a temporary pool of workmen for the purpose of filling up purely temporary vacancies arising out of the annual or sick leave availed of by the Bank's permanent clerical workmen. The aforesaid system of maintaining a temporary pool was implemented in 1970 when the Bank had drawn a list of approximately eight persons to form a temporary pool to fill up temporary leave vacancies as envisaged in the agreement. Accordingly whenever any permanent clerical cadre workmen of the Bank availed himself of privilege or sick leave the bank used to fill up such temporary vacancies by appointing a person from the temporary pool on rotation basis. The said temporary pool system which was creating a lot of administrative difficulties was abolished by another agreement. In accordance with the aforesaid agreement of 1970 Dilip Kumar Sengupta and four others were enlisted in the temporary pool and they were provided temporary employment from time to time in the bank against leave vacancies. On the 31st July 1973 a fresh agreement was arrived at after renegotiation between the Bank and the American Express Employees' Union which was and still is the only Union at Calcutta representing the entire workmen of the Bank by which was agreed that the temporary pool would be abolished on recruitment of five permanent workmen in the clerical cadre. This agreement regarding the abolition of the temporary pool and recruitment of five workmen in the permanent clerical cadre was incorporated in the later dated 3rd August 1973. It is said this agreement has been acted upon and is still binding upon the Bank and its existing workmen. All appointments of temporary employees and recruitments in the permanent clerical vacancies in the Bank are regulated by an understanding reached between the Bank and the American Express Employees' Union representing the workmen and declared by the Bank. Recruitment for the five permanent clerical positions was done by the Bank on the basis of a formula agreed to between the Bank and its workmen's union referred above and in accordance with that formula the bank called all the persons enlisted in the temporary pool for written test with a view to giving them an equal opportunity along with other applicants from the Employment Exchange as well as outside. Dilip Kumar Sengupta and four others were given the opportunity to compete for the position along with the candidates from Employment Exchange and outside. However, the performance of Dilip Kumar Sengupta and the four others in the written test were not at all satisfactory and they did not come within the fifteen candidates who were called for an interview on the basis of their performances in written and typing tests.

The evidence of M.W-1 M. S. Nathan is that as per agreement with the union of the bank the temporary employment system for the leave vacancy was to be discontinued and it was discontinued and instead, 5 permanent individuals were employed on the basis of recruitment policy of the bank. He has deposed that a notice was put on the notice board regarding the intention of the management to discontinue the temporary employment system and for calling applications from interested persons for the five permanent

posts. Mohit Mohan De applied for the permanent post, others also applied. A written examination was held. Mohit Mohan De failed in that examination. On the basis of the examination three clerks and two clerk-cum-typists were appointed as per requirement of the bank. Dilip Kumar Sengupta also failed in the written test. From MW-1, N. S. Nathan it is quite clear that the temporary pool was abolished as per agreement with the union of the bank and that 5 persons were appointed in the permanent vacancy of the clerk or clerk-cum-typist as per agreement with the union. The concerned workmen were only in the temporary pool to be appointed from time to time whenever any vacancy arose due to privilege leave or sick leave etc. of the permanent incumbent. I have already said that there is no evidence on record that any of the 5 persons completed 240 days work in any year. The concerned workmen have not adduced any evidence; none of them examined himself to support his case. There is no reason as to why the case of the management as stated by MW-1 N. S. Nathan should not be accepted as true. The five concerned workmen named in the reference, were in my opinion purely casual workers without having any right to be permanently appointed. Their case was never supported by the union. From the record it rather appears that the union had written to the concerned Labour Commissioner that the case of these 5 persons should not be referred to the Tribunal. From the above it is clear that the five concerned workmen have no case.

3. In the result my concluded award is that the action of the management of Messrs American Express International Banking Corporation in terminating the services of S/Shri Mohit Mohan De, Dilip Kumar Sengupta, Jayan Ranjan Sarkar, Achinta Ranjan Roy Mitra and Dilip Kumar Sett with effect from 1-1-74 is justified. It follows that the concerned workmen are not entitled to any relief.

Dated, Calcutta,

28th August, 1984.

M. P. SINGH, Presiding Officer.
[No. L-12012/24/74-D.II(A)/D.IV(A)]

S.O. 3140.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. III, Dhanbad in the industrial dispute between the employers in relation to the management of Punjab National Bank, Ranchi and their workmen, which was received by the Central Government on the 5th September, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 49/83

PRESENT :

Shri J. N. Singh, Presiding Officer.

PARTIES :

Employers in relation to the management of Punjab National Bank, Ranchi.

AND

Their workmen.

APPEARANCES :

For the Employers—Sri D. K. Sahay, Personnel Officer.
For the Workman—Sri C. L. Bhardwaj, General Secretary of the Union.

INDUSTRY : Bank

STATE : Bihar.

Dated, the 31st August, 1984

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10(1)(d) of the Industrial Disputes Act 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. I-12012(84)/83-D.II.A dated the 30th November, 1983.

SCHEDULE

"Whether the action of the management of Punjab National Bank, Ranchi in relation to their Branch Office, Sasaram in terminating the service of Shri Tej Narain Lal, temporary Peon is justified? If not, to what relief is the workman concerned entitled?"

2. On 29-8-84 both the parties have filed a joint petition of compromise duly signed on their behalf with a prayer that an award be passed in terms of the settlement.

3. I have gone through the settlement which is beneficial for the workman.

4. In the circumstances the award is passed in terms of the settlement which shall form part of the award

J. N. SINGH, Presiding Officer
[No. L-12012/84/83-D II(A)/D.IV(A)]

**BEFORE THE HON'BLE PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT NO. 3, DHANBAD**

Reference No. 49 of 1983

In the matter of

Punjab National Bank, Sasaram (Distt. Rohtas) through the Regional Manager, Punjab National Bank, Ranchi Region, Radhey Siam Garage Road, Old Commissioner Compound, Ranchi. Employers

Versus

Its workmen as represented by the All India Punjab National Bank Employees Association, 898, Nili Sarak, Chandni Chowk, Delhi-6. Care of Shri Tej Narayan Lal Ex-Peon, PNB, Sasaram.

Opp. Party

Humble submission on behalf of the Bank

Most respectfully sheweth :

1. That in terms of settlement dated 30-3-84 regarding appointment of temporary workmen who have worked in the subordinate cadre, the concerned workmen applied to the bank to be considered for appointment in the service of the bank.

2. That the concerned workman in his application has declared that he shall be bound by the terms and conditions in the settlement under reference and has given an undertaking that he shall have no claim with the bank by way of dues, reinstatement or any other claim whatsoever in respect of temporary services rendered by him.

3. That the concerned workman was intervieweed on 31-7-84 and has been approved for appointment as probationer on the starting salary applicable to subordinate cadre.

4. That in terms of the aforesaid settlement the workman shall be issued appointment letter only after he agrees to passing of a 'No Dispute Award' by the Hon'ble Court.

Prayer :

In view of the aforesaid submission, it is humbly prayed that the Hon'ble Tribunal may be pleased to pass 'No Dispute Award' in the matter

D. K. SAHAY,
For and on behalf of
Punjab National Bank

Date : 28-8-1984
Place : Ranchi.

Terms as above accepted

C. L. Bhardwaj,
Genl. Secy., AIPNBFA
Representing Workman

D. K. SAHAY,
Personal Officer,
PNB, Ranchi Region
Sd/-
29-8-84.

Sd/- J. N. SINGH, Presiding Officer

New Delhi, the 15th September, 1984

S.O. 3141.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the Punjab National Bank, Ranchi and their workmen, which was received by the Central Government on the 5th September, 1984

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 44/83

PARTIES .

Employers in relation to the management or Punjab National Bank, Ranchi.

AND

Their workman.

APPEARANCES :

For the Employers— Sri D. K. Sahay, Personnel Officer
For the Workman—Sri C. L. Bhardwaj, General Secretary of the Union.

INDUSTRY : Bank.

STATE : Bihar.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the above dispute to this Tribunal for adjudication under Order No. L-12012(55)/83-D II(A) dated the 17th November, 1983.

SCHEDULE

Whether the action of the management of Punjab National Bank, Ranchi in relation to their Natwar Branch in terminating the services of Shri Ramesh Jee Choubey, Temp. Peon with effect from 1st March, 1979 is justified? If not, to what relief is the workman concerned entitled?"

2. On 29-8-84 both the parties have filed a joint petition of compromise duly signed on their behalf with a prayer that an award be passed in terms of the settlement.

3. I have gone through the settlement which is beneficial for the workman.

4. In the circumstances the award is passed in terms of the settlement which shall form part of the Award.

J. N. SINGH, Presiding Officer
[No. L-12012/55/83-D II(A)/D.IV(A)]
S. S. PRASHER, Desk Officer

BEFORE THE HON'BLE PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO. 3 DHANBAD

Reference No. 44 of 1983

In the matter of

Punjab National Bank, Natwar (Distt. Rohtas) through
the Regional Manager, Punjab National Bank,
Regional Office, Radhey Siam Garage Road, Old
Commissioner Compound, Ranchi. Employers

Versus

Its workmen as represented by the All India Punjab
National Bank Employees Association, 898, Nai
Sarak, Chandni Chowk, Delhi-6, Case of Shri
Ramesh Jee Choubey, Ex-Peon, PNB, Natwar.

Opp. Party.

Humble submission on behalf of the Bank

Most Respectfully showeth :

1. That in terms of settlement dated 30-3-84 regarding appointment of temporary workmen who have worked in the subordinate cadre the concerned workman applied to the bank on 21-5-84 to be considered for appointment in the service of the bank.
2. That the concerned workman in his application dated 21-5-84 has declared that he shall be bound by the terms

and conditions in the settlement under reference and has given an undertaking that he shall have no claim with the bank by way of dues, reinstatement or any other claim whatsoever in respect of temporary services rendered by him.

3. That the concerned workman was interviewed on 31-7-83 and has been approved for appointment as probationer on the starting salary applicable to subordinate cadre.

4. That in terms of the aforesaid settlement the workman shall be issued appointment letter only after he agrees to passing of a "No Dispute Award" by the Hon'ble Court.

Prayer :

In view of the aforesaid submission, it is humbly prayed that the on'ble Tribunal may be pleased to pass "No Dispute Award" in the matter.

D. K. SAHAY,
For and on behalf of
Punjab National Bank

Date : 28-8-1984.

Place : Ranchi.

Terms as above accepted

C. L. Bhardwaj,
Genl. Secy., AIPNBEA
Representing Workman

D. K. SAHAY,
Personal Officer,
PNB, Ranchi Region
29-8-84.

J. N. SINGH, Presiding Officer